

SIXTY-FIFTH DAY

(Tuesday, May 16, 1933)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Hill of Brazoria.
Aikin.	Hodges.
Alexander.	Holekamp.
Alsop.	Holland.
Anderson	Holloway.
of Bexar.	Hoskins.
Anderson	Huddleston.
of Johnson.	Hughes.
Baker.	Hunt.
Barrett.	Hyder.
Barron.	Jackson.
Beck.	James.
Bedford.	Jefferson.
Bourne.	Johnson
Bradley.	of Anderson.
Burns.	Jones of Atascosa.
Butler.	Jones of Runnels.
Calvert.	Jones of Shelby.
Camp.	Kayton.
Canon.	Kyle of Hays.
Cathey.	Kyle of Palo Pinto.
Caven.	Laird.
Celaya.	Latham.
Chastain.	Leonard.
Clayton.	Lindsey.
Colson.	Long.
Coombes.	Lotief.
Cowley.	Mackay.
Crossley.	Magee.
Daniel.	Mathis.
Davidson.	McClain.
Dean.	McCullough.
Devall.	McDougald.
Dunlap.	McGregor.
Dunagan.	Metcalf.
Duvall.	Mitcham.
Dwyer.	Moffett.
Engelhard.	Moore.
Fain.	Morrison.
Few.	Morse.
Ford.	Munson.
Fuchs.	Nicholson.
Glass.	Palmer.
Golson.	Parkhouse.
Good.	Patterson.
Goodman.	Pavlica.
Graves.	Pope.
Greathouse.	Puryear.
Griffith.	Ramsey.
Hankamer.	Ratliff.
Harman.	Ray.
Harris.	Reed of Bowie.
Harrison.	Reed of Dallas.
Hartzog.	Riddle.
Head.	Roberts.
Hester.	Rogers of Hunt.
Hicks.	

Rogers	Sullivant.
of Ochiltree.	Tarwater.
Rollins.	Tennyson.
Ross.	Thomas.
Russell.	Tillery.
Savage.	Townsend.
Scarborough.	Turlington.
Scott.	Van Zandt.
Shannon.	Vaughan.
Shults.	Wagstaff.
Smith.	Walker.
Stanfield.	Wells.
Steward.	Winningham.
Stinson.	Wood.
Stovall.	Young.

Absent—Excused

Adamson.	Lemens.
Fisher.	McKee.
Haag.	Merritt.
Hill of Webb.	Reader.
Johnson	Renfro.
of Dimmit.	Weinert.

A quorum was announced present.

Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Hill of Webb for today and the balance of the week, on motion of Mr. Walker.

Mr. Reader for today and the balance of the week, on motion of Mr. Glass.

Mr. McKee for today, on motion of Mr. Wood.

Mr. Haag for today, on motion of Mr. Scott.

Mr. Lemens for today and the balance of the week, on motion of Mr. Rollins.

The following Members were granted leaves of absence on account of illness:

Mr. Johnson of Dimmit for today and the balance of the week, on motion of Mr. Ford.

Mr. Weinert for today on account of illness in his family, on motion of Mr. Parkhouse.

Mr. Adamson for today and the balance of the week on account of death in his family, on motion of Mr. Van Zandt.

Mr. Merritt for today and the balance of the week on account of illness in his family, on motion of Mr. Jackson.

Mr. Renfro for today, on motion of Mr. Ford.

MOTION TO INTRODUCE A BILL

Mr. Parkhouse moved to introduce a bill at this time and have it placed on first reading.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

Yeas—81

Aikin.	Kyle of Hays.
Alexander.	Kyle of Palo Pinto.
Anderson	Leonard.
of Johnson.	Mackay.
Barrett.	Magee.
Barron.	Mathis.
Beck.	McClain.
Bedford.	McDougald.
Bourne.	Metcalfe.
Burns.	Mitcham.
Calvert.	Moffett.
Camp.	Moore.
Canon.	Morrison.
Cathey.	Morse.
Caven.	Munson.
Chastain.	Nicholson.
Colson.	Patterson.
Coombes.	Pope.
Cowley.	Ratliff.
Daniel.	Ray.
Davidson.	Reed of Dallas.
Dean.	Roberts.
Dunagan.	Rollins.
Fain.	Ross.
Few.	Russell.
Ford.	Shannon.
Glass.	Smith.
Golson.	Steward.
Good.	Stinson.
Graves.	Stovall.
Harman.	Sullivant.
Harris.	Tarwater.
Hartzog.	Tennyson.
Hester.	Thomas.
Hicks.	Townsend.
Hill of Brazoria.	Van Zandt.
Hoskins.	Vaughan.
Hunt.	Wagstaff.
Hyder.	Walker.
Johnson	Wells.
of Anderson.	Young.
Jones of Shelby.	

Nays—24

Alsup.	Huddleston.
Baker.	James.
Butler.	Jones of Atascosa.
Clayton.	Jones of Runnels.
Crossley.	Kayton.
Dwyer.	Latham.
Fuchs.	Lindsey.
Goodman.	Lotief.
Griffith.	Pavlica.
Hankamer.	Purveyar.
Harrison.	Ramsey.
Holland.	Reed of Bowie.

Present—Not Voting

Devall.

Absent

Anderson	McCullough.
of Bexar.	McGregor.
Bradley.	Palmer.
Celaya.	Parkhouse.
Dunlap.	Riddle.
Duvall.	Rogers of Hunt.
Engelhard.	Rogers
Greathouse.	of Ochiltree.
Head.	Savage.
Hodges.	Scarborough.
Holekamp.	Scott.
Holloway.	Shults.
Hughes.	Stanfield.
Jackson.	Tillery.
Jefferson.	Turlington.
Laird.	Winningham.
Long.	Wood.

Absent—Excused

Adamson.	Lemens.
Fisher.	McKee.
Haag.	Merritt.
Hill of Webb.	Reader.
Johnson	Renfro.
of Dimmit.	Weinert.

BILL ORDERED NOT PRINTED

On motion of Mr. Rogers of Ochiltree, Senate Bill No. 527 was ordered not printed.

BILLS LAID ON THE TABLE
SUBJECT TO CALL

On motion of Mr. Kayton, House Bill No. 485 was laid on the table subject to call.

On motion of Mr. Stinson, House Bill No. 552 was laid on the table subject to call.

On motion of Mr. Stovall, House Bill No. 924 was laid on the table subject to call.

On motion of Mr. Kyle of Palo Pinto, House Bill No. 449 was laid on the table subject to call.

On motion of Mr. McGregor, House Bill No. 759 was laid on the table subject to call.

On motion of Mr. Holland, House Bill No. 111 was laid on the table subject to call.

On motion of Mr. McClain, House Bill No. 43 was laid on the table subject to call.

MOTION TO LAY CERTAIN BILL ON TABLE SUBJECT TO CALL

Mr. Roberts moved that House Bill No. 611 be laid on the table subject to call.

The motion was lost (not receiving the necessary two-thirds vote) by the following vote:

Yeas—66

Aikin.	Hodges.
Alsup.	Hoskins.
Anderson	Jones of Atascosa.
of Johnson.	Jones of Runnels.
Baker.	Jones of Shelby.
Barrett.	Kayton.
Beck.	Kyle of Hays.
Bedford.	Kyle of Palo Pinto.
Bourne.	Latham.
Burns.	Lindsey.
Calvert.	Lotief.
Camp.	Mackay.
Canon.	Magee.
Caven.	Metcalf.
Chastain.	Munson.
Cowley.	Pope.
Crossley.	Purveyer.
Daniel.	Ray.
Davidson.	Reed of Bowie.
Dunagan.	Roberts.
Duvall.	Rogers of Hunt.
Engelhard.	Rogers
Fain.	of Ochiltree.
Few.	Rollins.
Fuchs.	Russell.
Glass.	Scarborough.
Golson.	Scott.
Good.	Shults.
Graves.	Stovall.
Griffith.	Sullivant.
Harris.	Tennyson.
Harrison.	Thomas.
Hartzog.	Vaughan.
Hester.	Walker.

Nays—46

Alexander.	Hunt.
Anderson	Hyder.
of Bexar.	Jackson.
Butler.	James.
Celaya.	Johnson
Clayton.	of Anderson.
Colson.	Mathis.
Coombes.	McClain.
Dean.	McCullough.
Devall.	McDougald.
Dunlap.	Mitcham.
Dwyer.	Moffett.
Goodman.	Moore.
Hankamer.	Morse.
Hicks.	Nicholson.
Hill of Brazoria.	Parkhouse.
Holland.	Patterson.

Pavlica.	Tarwater.
Ramsey.	Tillery.
Ratliff.	Townsend.
Reed of Dallas.	Van Zandt.
Smith.	Wagstaff.
Steward.	Wells.
Stinson.	Young.

Absent

Barron.	Leonard.
Bradley.	Long.
Cathey.	McGregor.
Ford.	Morrison.
Greathouse.	Palmer.
Harman.	Riddle.
Head.	Ross.
Holekamp.	Savage.
Holloway.	Shannon.
Huddleston.	Stanfield.
Hughes.	Turlington.
Jefferson.	Winningham.
Laird.	Wood.

Absent—Excused

Adamson.	Lemens.
Fisher.	McKee.
Haag.	Merritt.
Hill of Webb.	Reader.
Johnson	Renfro.
of Dimmit.	Weinert.

Mr. Lindsey moved that House Bill No. 283 be laid on the table subject to call.

The motion was lost (not receiving the necessary two-thirds vote) by the following vote:

Nays—60

Aikin.	Harrison.
Alexander.	Hicks.
Alsup.	Hoskins.
Anderson	James.
of Johnson.	Johnson
Baker.	of Anderson.
Bedford.	Jones of Atascosa.
Bourne.	Jones of Runnels.
Burns.	Jones of Shelby.
Canon.	Leonard.
Cathey.	Lindsey.
Chastain.	Lotief.
Colson.	Mackay.
Daniel.	McCullough.
Devall.	McGregor.
Dunagan.	Moffett.
Duvall.	Munson.
Fain.	Purveyer.
Few.	Ramsey.
Ford.	Ratliff.
Fuchs.	Ray.
Glass.	Rogers
Golson.	of Ochiltree.
Good.	Rollins.
Harman.	Savage.
Harris.	Scarborough.

Scott.
Shults.
Steward.
Stovall.
Sullivan.
Tennyson.

Thomas.
Van Zandt.
Vaughan.
Walker.
Young.

Nays—42

Beck.
Butler.
Calvert
Caven.
Celaya.
Clayton.
Crossley.
Davidson.
Dean.
Dunlap.
Goodman.
Greathouse.
Hankamer.
Head.
Hester.
Hill of Brazoria.
Holland.
Hyder.
Laird.
Latham.
Magee.

Mathis.
McDougald.
Moore.
Morrison.
Morse.
Nicholson.
Parkhouse.
Patterson.
Pope.
Reed of Bowie
Reed of Dallas.
Ross.
Russell.
Shannon.
Smith.
Stanfield.
Stinson.
Tarwater.
Townsend.
Wagstaff.
Wells.

Absent

Anderson
of Bexar.
Barrett.
Barron.
Bradley.
Camp.
Coombes.
Cowley.
Dwyer.
Engelhard.
Graves.
Griffith.
Hartzog.
Hodges.
Holekamp.
Holloway.
Huddleston.
Hughes.
Hunt.

Jackson.
Jefferson.
Kayton.
Kyle of Hays.
Kyle of Palo Pinto.
Long.
McClain.
Metcalf.
Mitcham.
Palmer.
Pavlica.
Riddle.
Roberts.
Rogers of Hunt.
Tillery.
Turlington.
Winningham.
Wood.

Absent—Excused

Adamson.
Fisher.
Haag.
Hill of Webb.
Johnson
of Dimmit.

Lemens.
McKee.
Merritt.
Reader.
Renfro.
Weinert.

EXTENDING USE OF THE HALL

Mr. Moffett offered the following resolution:

Whereas, House Bill No. 807 provides for the meeting of two groups of citizens in Austin sixty days prior

to August 26 for the purpose of nominating candidates to be elected on August 26 to pass on the repeal of the Eighteenth Amendment; and,

Whereas, The Legislature may not be in session on that date, and the Hall of Representatives may not be in use at that time; therefore, be it

Resolved by the House of Representatives, That the group favoring the Eighteenth Amendment be, and is hereby, invited to use the Hall of Representatives on the date of said meeting for the purpose of selecting its candidates for election on August 26; provided, however, that the Legislature is not in session at that time.

MOFFETT,
RAY,
GOLSON.

The resolution was read second time, and was adopted.

GRANTING FRANK MCKINNEY PERMISSION TO SUE THE STATE

Mr. Laird offered the following resolution:

H. C. R. No. 90, Granting Frank McKinney permission to sue the State.

Whereas, On or about April 13, 1928, Frank McKinney, of Lufkin, Angelina County, Texas, while in the employment of the State Highway Commission of Texas sustained and suffered serious and permanent bodily injury while in the line of duty on Highway No. 35, about eight miles north of the town of Lufkin, near the Angelina River bridge.

Said injury being sustained on account of being run over by a Chevrolet touring car, driven by one of the State Highway Commission's employes while on duty at that time.

Whereas, As a result of such accident, the said Frank McKinney suffered and sustained a fractured hip bone, which has left him permanently crippled and requires the use of a crutch at times to enable him to move about. He is permanently barred from doing manual labor by reason of such accident, and is therefore unable to support his wife and children.

Whereas, The said Frank McKinney has never been compensated by the State of Texas for the damages resulting from said injury; now, therefore, be it

Resolved by the House of Repre-

sentatives, the Senate concurring. That the said Frank McKinney, his heirs, executors, and administrators be, and they are hereby, granted permission to bring suit against the State of Texas and against the Highway Commission of Texas in a court of competent jurisdiction in Angelina County, Texas, in order to ascertain, fix, and award the amount of money, if any, the said Frank McKinney, his heirs, executors, and administrators are entitled to receive from the State of Texas and the Highway Commission of Texas as compensation by reason of such injury and resulting damages, and that in case such suit be filed, service of citation or other necessary process shall be had upon the Chairman of the Highway Commission of Texas, and that the same have the same force and effect as made and provided in civil cases; and that either one of the parties to said suit shall have the right to appeal without the execution of bond, and any judgment that may be finally established against the State of Texas and the Highway Commission of Texas in said suit shall be a liquidated debt, and shall be paid by the Highway Commission of Texas out of the State Highway Funds.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

CONFERENCE COMMITTEE ON SENATE BILL NO. 429

On motion of Mr. Holland, the House granted the request of the Senate for the appointment of a conference committee on Senate Bill No. 429.

The Speaker appointed the following committee: Messrs. Holland, Hankamer, McDougald, Dwyer, and James.

RELATIVE TO STATE EMPLOYEES

The Speaker laid before the House, for consideration at this time,

H. C. R. No. 89, Relative to State employees;

The resolution having heretofore been read second time, with amendment, by Mr. Clayton, pending.

Question recurring on the amendment by Mr. Clayton, it was adopted.

Mr. Harman offered the following amendment to the resolution:

"Provided that the provisions hereof shall not apply to persons supporting separate families."

The amendment was adopted.

Mr. Burns offered the following amendment to the resolution:

"Amend resolution by providing this shall not apply to the employees of the State Prison."

Mr. Kayton offered the following amendment to the amendment by Mr. Burns:

Amend amendment by adding words: "and all other departments of State Government."

On motion of Mr. Burns, the amendment by Mr. Kayton was tabled.

On motion of Mr. Kayton, the amendment by Mr. Burns was tabled.

Question recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—88

Aikin.	Hunt.
Anderson	Jackson.
of Johnson.	James.
Baker.	Jones of Runnels.
Barrett.	Kyle of Hays.
Barron.	Laird.
Beck.	Latham.
Calvert.	Leonard.
Camp.	Lindsey.
Canon.	Lotief.
Cathey.	Mackay.
Caven.	Magee.
Chastain.	Mathis.
Coombes.	McClain.
Cowley.	McCullough.
Crossley.	McDougald.
Davidson.	Mitcham.
Dean.	Moore.
Devall.	Morrison.
Dunagan.	Munson.
Fain.	Nicholson.
Few.	Parkhouse.
Fuchs.	Pavlica.
Glass.	Pope.
Golson.	Puryear.
Goodman.	Ratliff.
Graves.	Ray.
Greathouse.	Reed of Bowie.
Griffith.	Reed of Dallas.
Hankamer.	Roberts.
Harris.	Rogers of Hunt.
Hartzog.	Rollins.
Head.	Scott.
Hicks.	Shannon.
Hill of Brazoria.	Shults.
Hodges.	Stanfield.
Holekamp.	Steward.
Hoskins.	Stinson.
Hughes.	Stovall.

Sullivant.
Tarwater.
Thomas.
Tillery.
Townsend.
Turlington.

Van Zandt.
Vaughan.
Walker.
Winningham.
Young.

Nays—22

Alsup.
Bedford.
Bourne.
Burns.
Colson.
Duvall.
Dwyer.
Engelhard.
Ford.
Good.
Harman.
Hyder.

Jefferson.
Johnson
of Anderson.
Jones of Atascosa.
Kayton.
Metcalf.
Moffett.
Morse.
Patterson.
Ramsey.
Wagstaff.

Absent

Alexander.
Anderson
of Bexar.
Bradley.
Butler.
Celaya.
Clayton.
Daniel.
Dunlap.
Harrison.
Hester.
Holland.
Holloway.
Huddleston.
Jones of Shelby.

Kyle of Palo Pinto.
Long.
McGregor.
Palmer.
Riddle.
Rogers
of Ochiltree.
Ross.
Russell.
Savage.
Scarborough.
Smith.
Tennyson.
Wells.
Wood.

Absent—Excused

Adamson.
Fisher.
Haag.
Hill of Webb.
Johnson
of Dimmit.

Lemens.
McKee.
Merritt.
Reader.
Renfro.
Weinert.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, May 16, 1933.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: I am directed by the Senate
to inform the House that the Senate
has concurred in House amendments
to Senate Bill No. 454 by the follow-
ing vote: Yeas, 28; Nays, 0.

The Senate has refused to concur
in House amendments to Senate Bill
No. 429, and requests the appointment
of a conference committee. The fol-
lowing have been appointed on the
part of the Senate: Senators Woodul,
Sanderford, Martin, Collie, and De-
Berry.

Respectfully,
BOB BARKER,
Secretary of the Senate.

SENATE BILL NO. 557 ON SECOND
READING

The Speaker laid before the House,
on its second reading and passage to
third reading,

S. B. No. 557, A bill to be entitled
"An Act making an appropriation of
twenty-five thousand dollars (\$25,000)
to pay the contingent expenses of the
Regular Session of the Forty-third
Legislature."

The bill was read second time, and
was passed to third reading.

SENATE BILL NO. 557 ON THIRD
READING

Mr. Harman moved that the con-
stitutional rule, requiring bills to be
read on three several days, be sus-
pended, and that Senate Bill No. 557
be placed on its third reading and final
passage.

The motion prevailed by the follow-
ing vote:

Yeas—103

Aikin.
Alexander.
Alsup.
Anderson
of Johnson.
Baker.
Beck.
Bedford.
Bourne.
Burns.
Calvert.
Camp.
Cathey.
Colson.
Coombes.
Cowley.
Crossley.
Daniel.
Davidson.
Devall.
Dunagan.
Engelhard.
Few.
Ford.
Fuchs.
Glass.
Golson.
Good.
Goodman.
Graves.
Greathouse.
Griffith.
Hankamer.
Harman.
Harris.
Harrison.
Hartzog.
Head.

Hill of Brazoria.
Hodges.
Holekamp.
Holland.
Huddleston.
Hyder.
Jackson.
James.
Jefferson.
Jones of Atascosa.
Jones of Runnels.
Kayton.
Kyle of Hays.
Laird.
Latham.
Long.
Lotief.
Mackay.
Magee.
Mathis.
McClain.
McCullough.
McDougald.
Mitcham.
Moffett.
Moore.
Morrison.
Morse.
Munson.
Nicholson.
Palmer.
Parkhouse.
Patterson.
Pavlica.
Ramsey.
Ratliff.
Ray.
Reed of Bowie.

Reed of Dallas.	Stovall.
Riddle.	Sullivant.
Roberts.	Tarwater.
Rogers of Hunt.	Tennyson.
Rollins.	Thomas.
Russell.	Townsend.
Scarborough.	Turlington.
Scott.	Van Zandt.
Shannon.	Vaughan.
Shults.	Wagstaff.
Smith.	Walker.
Stanfield.	Winningham.
Steward.	Wood.
Stinson.	Young.

Nays—3

Fain.	Puryear.
Lindsey.	

Absent

Anderson of Bexar.	Hoskins.
Barrett.	Hughes.
Barron.	Hunt.
Bradley.	Johnson
Butler.	of Anderson.
Canon.	Jones of Shelby.
Caven.	Kyle of Palo Pinto.
Celaya.	Leonard.
Chastain.	McGregor.
Clayton.	Metcalfe.
Dean.	Pope.
Dunlap.	Rogers
Duvall.	of Ochiltree.
Dwyer.	Ross.
Hester.	Savage.
Hicks.	Tillery.
Holloway.	Wells.

Absent—Excused

Adamson.	Lemens.
Fisher.	McKee.
Haag.	Merritt.
Hill of Webb.	Reader.
Johnson	Renfro.
of Dimmit.	Weinert.

The Speaker then laid Senate Bill No. 557 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—105

Aikin.	Chastain.
Alexander.	Colson.
Alsup.	Coombes.
Anderson	Cowley.
of Johnson.	Crossley.
Beck.	Daniel.
Bedford.	Davidson.
Bourne.	Devall.
Burns.	Dunlap.
Camp.	Dunagan.
Canon.	Dwyer.
Cathey.	Few.

Ford.	Morrison.
Fuchs.	Morse.
Glass.	Munson.
Golson.	Nicholson.
Good.	Palmer.
Goodman.	Parkhouse.
Graves.	Patterson.
Greathouse.	Pavlica.
Griffith.	Ramsey.
Hankamer.	Ratliff.
Harman.	Ray.
Harris.	Reed of Bowie.
Harrison.	Reed of Dallas.
Head.	Riddle.
Hester.	Roberts.
Hill of Brazoria.	Rogers of Hunt.
Hodges.	Rollins.
Holekamp.	Russell.
Huddleston.	Scarborough.
Hughes.	Scott.
Hyder.	Shannon.
Jackson.	Shults.
James.	Smith.
Jefferson.	Stanfield.
Johnson	Steward.
of Anderson.	Stinson.
Jones of Atascosa.	Stovall.
Jones of Runnels.	Sullivant.
Kayton.	Tarwater.
Kyle of Hays.	Tennyson.
Laird.	Thomas.
Latham.	Tillery.
Leonard.	Townsend.
Mackay.	Turlington.
Magee.	Van Zandt.
Mathis.	Vaughan.
McClain.	Wagstaff.
McCullough.	Walker.
McDougald.	Winningham.
Mitcham.	Wood.
Moffett.	Young.
Moore.	

Nays—3

Fain.	Puryear.
Lotief.	

Absent

Anderson of Bexar.	Holland.
Baker.	Holloway.
Barrett.	Hoskins.
Barron.	Hunt.
Bradley.	Jones of Shelby.
Butler.	Kyle of Palo Pinto.
Calvert.	Lindsey.
Caven.	Long.
Celaya.	McGregor.
Clayton.	Metcalfe.
Dean.	Pope.
Duvall.	Rogers
Engelhard.	of Ochiltree.
Hartzog.	Ross.
Hicks.	Savage.
	Wells.

Absent—Excused

Adamson.	Fisher.
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Haag.
Hill of Webb.
Johnson
of Dimmit.
Lemens.

McKee.
Merritt.
Reader.
Renfro.
Weinert.

EXTENDING THANKS OF THE HOUSE TO THE COMMITTEE ON CONTINGENT EXPENSES

On motion of Mr. Van Zandt, the House extended thanks to Mr. Holloway, Chairman of the Committee on Contingent Expenses, and also to the other Members of the Committee, for their economic administration of the Contingent Expense Fund.

SENATE BILL NO. 558 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 558, A bill to be entitled "An Act appropriating the sum of one hundred thousand dollars (\$100,000), or so much thereof as may be necessary, payable out of the General Revenue Fund, to pay the mileage and per diem of Members, and the salaries and per diem of officers and employes of the Forty-third Legislature of the State of Texas; and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 558 ON THIRD READING

Mr. Harman moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 558 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105

Aikin.	Crossley.
Alexander.	Davidson.
Alsup.	Devall.
Anderson	Dunlap.
of Johnson.	Dunagan.
Baker.	Dwyer.
Beck.	Engelhard.
Bedford.	Fain.
Bourne.	Ford.
Burns.	Fuchs.
Camp.	Glass.
Canon.	Golson.
Cathey.	Good.
Celaya.	Goodman.
Coombes.	Greathouse.
Cowley.	Hankamer.

Harman.	Palmer.
Harris.	Parkhouse.
Hartzog.	Patterson.
Head.	Pavlica.
Hester.	Pope.
Hill of Brazoria.	Puryear.
Hodges.	Ramsey.
Holekamp.	Ratliff.
Holland.	Ray.
Holloway.	Reed of Bowie.
Huddleston.	Reed of Dallas.
Hughes.	Riddle.
Hyder.	Roberts.
Jackson.	Rogers of Hunt.
James.	Rollins.
Jefferson.	Ross.
Johnson	Russell.
of Anderson.	Scarborough.
Jones of Atascosa.	Shannon.
Jones of Runnels.	Shults.
Jones of Shelby.	Smith.
Kayton.	Steward.
Kyle of Hays.	Stinson.
Laird.	Stovall.
Latham.	Sullivant.
Long.	Tarwater.
Lotief.	Tennyson.
Mackay.	Thomas.
Mathis.	Townsend.
McClain.	Turlington.
McDougald.	Van Zandt.
Mitcham.	Vaughan.
Moffett.	Wagstaff.
Moore.	Walker.
Morrison.	Winningham.
Morse.	Wood.
Munson.	Young.
Nicholson.	

Nays—1

Dean.

Absent

Anderson	Hicks.
of Bexar.	Hoskins.
Barrett.	Hunt.
Barron.	Kyle of Palo Pinto.
Bradley.	Leonard.
Butler.	Lindsey.
Calvert.	Magee.
Caven.	McCullough.
Chastain.	McGregor.
Clayton.	Metcalfe.
Colson.	Rogers
Daniel.	of Ochiltree.
Duvall.	Savage.
Few.	Scott.
Graves.	Stanfield.
Griffith.	Tillery.
Harrison.	Wells.

Absent—Excused

Adamson.	Lemens.
Fisher.	McKee.
Haag.	Merritt.
Hill of Webb.	Reader.
Johnson	Renfro.
of Dimmit.	Weinert.

The Speaker then laid Senate Bill No. 558 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—102

Aikin.	Kyle of Hays.
Alexander.	Laird.
Alsup.	Latham.
Anderson	Long.
of Johnson.	Lotief.
Baker.	Mackay.
Barron.	Magee.
Beck.	Mathis.
Bedford.	McClain.
Bourne.	McCullough.
Burns.	McDougald.
Butler.	Mitcham.
Camp.	Moore.
Canon.	Morrison.
Celaya.	Morse.
Colson.	Munson.
Coombes.	Nicholson.
Cowley.	Palmer.
Crossley.	Parkhouse.
Davidson.	Patterson.
Devall.	Pavlica.
Dunlap.	Pope.
Dunagan.	Ramsey.
Dwyer.	Ray.
Fain.	Reed of Bowie.
Ford.	Reed of Dallas.
Glass.	Riddle.
Golson.	Roberts.
Good.	Rogers of Hunt.
Greathouse.	Rollins.
Hankamer.	Ross.
Harman.	Russell.
Harris.	Savage.
Harrison.	Scarborough.
Hartzog.	Shannon.
Head.	Shults.
Hester.	Smith.
Hill of Brazoria.	Steward.
Hodges.	Stinson.
Holekamp.	Stovall.
Huddleston.	Sullivant.
Hughes.	Tarwater.
Hyder.	Tennyson.
Jackson.	Thomas.
James.	Townsend.
Jefferson.	Turlington.
Johnson	Van Zandt.
of Anderson.	Vaughan.
Jones of Atascosa.	Wagstaff.
Jones of Runnels.	Walker.
Jones of Shelby.	Winningham.
Kayton.	Wood.

Nays—4

Dean.	Puryear.
Lindsey.	Ratliff.

Absent

Anderson	Hicks.
of Bexar.	Holland.
Barrett.	Holloway.
Bradley.	Hoskins.
Calvert.	Hunt.
Cathey.	Kyle of Palo Pinto.
Caven.	Leonard.
Chastain.	McGregor.
Clayton.	Metcalfe.
Daniel.	Moffett.
Duvall.	Rogers
Engelhard.	of Ochiltree.
Few.	Scott.
Fuchs.	Stanfield.
Goodman.	Tillery.
Graves.	Wells.
Griffith.	Young.

Absent—Excused

Adamson.	Lemens.
Fisher.	McKee.
Haag.	Merritt.
Hill of Webb.	Reader.
Johnson	Renfro.
of Dimmit.	Weinert.

SENATE JOINT RESOLUTION NO.
2 ON SECOND READING

The Speaker laid before the House, on its second reading,

S. J. R. No. 2, Proposing an amendment to the Constitution of the State of Texas, by adding to Article XVI, another section, Section 61, abolishing the fee system of compensating State, district, county, and precinct officers, and providing for the payment of salaries to said officers, except public weighers, notaries public, and county surveyors.

The resolution was read second time.

Mr. Moore offered the following committee amendments to the resolution:

(1)

Amend S. J. R. No. 2 by striking out all below the resolving clause, and substituting in lieu thereof the following:

"Section 1. That the Constitution of the State of Texas, Article XVI, be amended by adding thereto another Section, Section 61, which shall read as follows:

"Section 61. All district officers in the State and all county officers in counties having a population of 20,000, or more, according to the then

last preceding Federal Census, shall hereafter be compensated on a salary basis. In all counties of this State, the commissioners court shall be authorized to determine whether precinct officers shall be compensated on a fee basis or on a salary basis; and in counties having a population of less than 20,000, according to the then last preceding Federal Census, the commissioners court shall also have the authority to determine whether county officers shall be compensated on a fee basis or on a salary basis. All fees earned by district, county, and precinct officers shall be paid into the county treasury where earned, for the account of the proper fund, provided, that fees incurred by the State, county, and any municipality, or in case where pauper's oath is filed, shall be paid into the county treasury, when collected, and provided, that where any officer is compensated wholly on a fee basis, such fees may be retained by such officer, or paid into the treasury of the county as the commissioners court may direct. All notaries public, county surveyors, and public weighers shall continue to be compensated on a fee basis.'

"Sec. 2. The foregoing constitutional amendment shall be submitted to a vote of the qualified voters of this State at the next general election to be held on Tuesday after the first Monday in November, A. D. 1934, at which election all voters favoring said proposed amendment shall write or have printed on their ballots the words:

"For the amendment to the Constitution of the State of Texas, adding Section 61 to Article XVI, abolishing the fee system of compensating all district officers and all county officers in counties having a population of 20,000, or more, and authorizing the commissioners court to determine whether precinct officers and certain county officers shall be compensated on a fee basis or a salary basis.'

"Against the amendment to the Constitution of the State of Texas, adding Section 61 to Article XVI, abolishing the fee system of compensating all district officers and all county officers in counties having a population of 20,000, or more, and authorizing the commissioners court to determine whether precinct officers

and certain county officers shall be compensated on a fee basis or a salary basis.'

"Each voter shall scratch out with pen or pencil the clause which he desires to vote against so as to indicate whether he is voting for or against said proposed amendment.

"Sec. 3. The Governor of the State of Texas is hereby directed to issue the necessary proclamation for said election and to have same published as required by the Constitution.

"Sec. 4. The sum of five thousand dollars (\$5,000), or so much thereof as may be necessary, is hereby appropriated, out of any funds of the Treasury of the State of Texas not otherwise appropriated, to pay the expenses of such publication and election.

(2)

Amend Senate Joint Resolution No. 2 by striking out all above the resolving clause, and substituting in lieu thereof the following:

"S. J. R. No. 2, Proposing an amendment to the Constitution of the State of Texas by adding to Article XVI, another Section, Section 61, providing for abolishing the fee method of compensating all district officers of this State and county officers in counties of this State having a population of 20,000, or more, and providing that all such district and county officers be paid on a salary basis, and providing that all precinct officers may be compensated on a fee basis or on a salary basis and authorizing the commissioners court to determine whether certain county and precinct officers shall be paid on a fee basis or a salary basis."

The amendments were severally adopted.

Senate Joint Resolution No. 2 was then passed by the following vote:

Yeas—113

Aikin.	Bourne.
Alexander.	Bradley.
Alsup.	Calvert.
Anderson	Camp.
of Bexar.	Canon.
Anderson	Cathey.
of Johnson.	Chastain.
Baker.	Colson.
Barrett.	Coombes.
Barron.	Cowley.
Beck.	Crossley.
Bedford.	Daniel.

Dean.	McClain.
Devall.	McCullough.
Dunagan.	McDougald.
Fain.	Metcalfe.
Few.	Mitcham.
Ford.	Moffett.
Fuchs.	Moore.
Glass.	Morrison.
Golson.	Morse.
Good.	Munson.
Goodman.	Nicholson.
Graves.	Palmer.
Hankamer.	Parkhouse.
Harris.	Patterson.
Hartzog.	Pavlica.
Head.	Pope.
Hester.	Purveyer.
Hicks.	Ratliff.
Hill of Brazoria.	Ray.
Hodges.	Reed of Bowie.
Holekamp.	Reed of Dallas.
Holland.	Rogers of Hunt.
Holloway.	Russell.
Hoskins.	Savage.
Huddleston.	Scott.
Hughes.	Shannon.
Hunt.	Shults.
Hyder.	Smith.
Jackson.	Stanfield.
James.	Steward.
Jefferson.	Stinson.
Johnson	Stovall.
of Anderson.	Sullivant.
Jones of Atascosa.	Tarwater.
Jones of Runnels.	Tennyson.
Jones of Shelby.	Thomas.
Kayton.	Tillery.
Kyle of Hays.	Townsend.
Kyle of Palo Pinto.	Turlington.
Latham.	Van Zandt.
Leonard.	Wagstaff.
Lindsey.	Walker.
Lotief.	Wells.
Mackay.	Winningham.
Magee.	Wood.
Mathis.	Young.

Nays—4

Burns.	Scarborough.
Ramsey.	Vaughan.

Present—Not Voting

Rollins.

Absent

Butler.	Harman.
Caven.	Harrison.
Celaya.	Laird.
Clayton.	Long.
Davidson.	McGregor.
Dunlap.	Riddle.
Duvall.	Roberts.
Dwyer.	Rogers
Engelhard.	of Ochiltree.
Greathouse.	Ross.
Griffith.	

Absent—Excused

Adamson.	Lemens.
Fisher.	McKee.
Haag.	Merritt.
Hill of Webb.	Reader.
Johnson	Renfro.
of Dimmit.	Weinert.

HOUSE JOINT RESOLUTION NO.
35 ON SECOND READING

The Speaker laid before the House, on its second reading,

H. J. R. No. 35, Proposing an amendment to the Constitution of the State of Texas by amending Section 2 of Article III, so as to provide that the Senate and House of Representatives shall consist of Members elected from each congressional district, and that an apportionment putting into effect the provisions of this Act shall be made at the first Regular Session of the Legislature after the adoption of this amendment; providing for the submission of the same by the county electors of this State; that an election be held on the first Tuesday after the first Monday in November, 1934, and providing for the necessary appropriation to defray necessary expenses.

The resolution was read second time.

Mr. Alsup moved to table the resolution.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—64

Alexander.	Goodman.
Alsup.	Hankamer.
Anderson	Harris.
of Bexar.	Harrison.
Barron.	Hill of Brazoria.
Beck.	Holekamp.
Burns.	Holland.
Camp.	Holloway.
Cathey.	Hoskins.
Chastain.	Huddleston.
Clayton.	Jackson.
Colson.	Jefferson.
Crossley.	Johnson
Daniel.	of Anderson.
Davidson.	Jones of Runnels.
Dunlap.	Jones of Shelby.
Dunagan.	Kayton.
Dwyer.	Laird.
Engelhard.	Leonard.
Few.	Lindsey.
Ford.	Lotief.
Golson.	Mackay.
Good.	Magee.

McClain.	Reed of Bowie.
McCullough.	Rogers of Hunt.
McDougald.	Scarborough.
Nicholson.	Scott.
Palmer.	Stanfield.
Patterson.	Steward.
Pavlica.	Stovall.
Pope.	Tarwater.
Puryear.	Vaughan.
Ramsey.	Winningham.

Nays—64

Aikin.	Mathis.
Anderson	McGregor.
of Johnson.	Metcalf.
Baker.	Mitcham.
Barrett.	Moore.
Bedford.	Morrison.
Bourne.	Morse.
Bradley.	Munson.
Butler.	Parkhouse.
Calvert.	Ratliff.
Canon.	Ray.
Celaya.	Reed of Dallas.
Coombes.	Riddle.
Cowley.	Roberts.
Dean.	Rollins.
Devall.	Russell.
Duvall.	Savage.
Fain.	Shannon.
Fuchs.	Shults.
Glass.	Smith.
Graves.	Stinson.
Greathouse.	Sullivant.
Head.	Tennyson.
Hicks.	Thomas.
Hughes.	Townsend.
Hunt.	Turlington.
Hyder.	Van Zandt.
James.	Wagstaff.
Jones of Atascosa.	Walker.
Kyle of Hays.	Wells.
Kyle of Palo Pinto.	Wood.
Latham.	Young.
Long.	

Absent

Caven.	Moffett.
Griffith.	Rogers
Harman.	of Ochiltree.
Hartzog.	Ross.
Hester.	Tillery.
Hodges.	

Absent—Excused

Adamson.	Lemens.
Fisher.	McKee.
Haag.	Merritt.
Hill of Webb.	Reader.
Johnson	Renfro.
of Dimmit.	Weinert.

Mr. Anderson of Bexar moved that further consideration of the resolution be postponed indefinitely.

Mr. Aikin moved to table the motion by Mr. Anderson of Bexar.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—57

Aikin.	Kyle of Hays.
Anderson	Mackay.
of Johnson.	McClain.
Baker.	Metcalf.
Barrett.	Mitcham.
Bedford.	Moore.
Bourne.	Morrison.
Bradley.	Morse.
Calvert.	Patterson.
Canon.	Pope.
Chastain.	Ratliff.
Cowley.	Ray.
Dean.	Riddle.
Devall.	Roberts.
Fain.	Savage.
Fuchs.	Shannon.
Glass.	Shults.
Good.	Stinson.
Graves.	Sullivant.
Greathouse.	Tennyson.
Hankamer.	Thomas.
Head.	Townsend.
Hicks.	Turlington.
Hughes.	Van Zandt.
Hunt.	Wagstaff.
Hyder.	Walker.
Johnson	Wells.
of Anderson.	Wood.
Jones of Atascosa.	Young.
Jones of Shelby.	

Nays—59

Alexander.	James.
Alsop.	Jefferson.
Anderson	Jones of Runnels.
of Bexar.	Kayton.
Barron.	Kyle of Palo Pinto.
Beck.	Leonard.
Burns.	Lindsey.
Butler.	Long.
Camp.	Lotief.
Cathey.	Magee.
Celaya.	Moffett.
Clayton.	Munson.
Coombes.	Nicholson.
Daniel.	Palmer.
Davidson.	Pavlica.
Dunlap.	Puryear.
Dunagan.	Ramsey.
Dwyer.	Reed of Bowie.
Few.	Reed of Dallas.
Golson.	Rogers of Hunt.
Goodman.	Rollins.
Harman.	Russell.
Harris.	Scarborough.
Harrison.	Scott.
Hartzog.	Smith.
Holekamp.	Stanfield.
Holland.	Steward.
Holloway.	Tillery.
Huddleston.	Vaughan.
Jackson.	Winningham.

Absent

Caven.	Latham.
Colson.	Mathis.
Crossley.	McCullough.
Duvall.	McDougald.
Engelhard.	McGregor.
Ford.	Parkhouse.
Griffith.	Rogers
Hester.	of Ochiltree.
Hill of Brazoria.	Ross.
Hodges.	Stovall.
Hoskins.	Tarwater.
Laird.	

Absent—Excused

Adamson.	Lemens.
Fisher.	McKee.
Haag.	Merritt.
Hill of Webb.	Reader.
Johnson	Renfro.
of Dimmit.	Weinert.

Question then recurring on the motion to postpone further consideration of the resolution indefinitely, it prevailed by the following vote:

Yeas—64

Alexander.	Huddleston.
Alsup.	Jackson.
Anderson	James.
of Bexar.	Jefferson.
Barron.	Jones of Runnels.
Beck.	Laird.
Bradley.	Leonard.
Burns.	Lindsey.
Camp.	Lotief.
Cathey.	Mackay.
Celaya.	Magee.
Chastain.	McCullough.
Clayton.	Moffett.
Colson.	Nicholson.
Crossley.	Palmer.
Daniel.	Patterson.
Davidson.	Pavlica.
Dunlap.	Pope.
Dunagan.	Puryear.
Dwyer.	Ramsey.
Engelhard.	Reed of Bowie.
Few.	Rogers of Hunt.
Golson.	Scarborough.
Good.	Scott.
Goodman.	Stanfield.
Hankamer.	Steward.
Harris.	Stovall.
Harrison.	Tillery.
Hartzog.	Van Zandt.
Hill of Brazoria.	Vaughan.
Holekamp.	Winningham.
Holloway.	Wood.
Hoskins.	

Nays—55

Aikin.	Baker.
Anderson	Barrett.
of Johnson.	Bedford.

Bourne.	Moore.
Butler.	Morrison.
Calvert.	Morse.
Canon.	Munson.
Coombes.	Ratliff.
Cowley.	Ray.
Dean.	Reed of Dallas.
Devall.	Riddle.
Fain.	Roberts.
Fuchs.	Rollins.
Glass.	Russell.
Graves.	Savage.
Greathouse.	Shannon.
Hicks.	Shults.
Hughes.	Smith.
Hunt.	Stinson.
Hyder.	Sullivan.
Jones of Shelby.	Tennyson.
Kyle of Hays.	Thomas.
Kyle of Palo Pinto.	Townsend.
Latham.	Turlington.
Long.	Wagstaff.
McClain.	Walker.
Metcalfe.	Wells.
Mitcham.	Young.

Absent

Caven.	Jones of Atascosa.
Duvall.	Kayton.
Ford.	Mathis.
Griffith.	McDougald.
Harman.	McGregor.
Head.	Parkhouse.
Hester.	Rogers
Hodges.	of Ochiltree.
Holland.	Ross.
Johnson	Tarwater.
of Anderson.	

Absent—Excused

Adamson.	Lemens.
Fisher.	McKee.
Haag.	Merritt.
Hill of Webb.	Reader.
Johnson	Renfro.
of Dimmit.	Weinert.

REASON FOR VOTE

My reason for supporting House Joint Resolution No. 35 is that I do not think our section of the State has its full share of representation. I do not agree in full with this resolution, but it does provide more representation in my section of the State.

THOMAS.

BILL SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled bill:

S. B. No. 454, "An Act to amend Subdivision 32, of Article 199, Title 8,

of the Revised Civil Statutes of the State of Texas, 1925, amended by Acts, 1931, Forty-second Legislature, First Called Session, page 27, Chapter 14, Section 1, relating to the District Court for the Thirty-second Judicial District, so as to exclude Howard County, and to change the dates of convening the District Court in the counties of the Thirty-second Judicial District of Texas; Subdivision 70, of Article 199, Title 8, of the Revised Civil Statutes of the State of Texas, 1925, as amended by Acts, 1929, Forty-first Legislature, page 50, Chapter 19, relating to the District Court for the Seventieth Judicial District of the State of Texas, so as to include Howard County in the Seventieth Judicial District, and exclude Andrews County; and declaring an emergency."

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, May 16, 1933.
Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 886, A bill to be entitled "An Act to amend Article 1667, of the Revised Civil Statutes of Texas for 1925, as amended by House Bill No. 59, Chapter 38, of the Second Called Session of the Forty-second Legislature, so that the provisions of said Article shall hereafter extend to all counties containing a population of one hundred and ten thousand (110,000), or more, as shown by the preceding Federal Census; and declaring an emergency."

Respectfully,
BOB BARKER,
Secretary of the Senate.

HOUSE JOINT RESOLUTION NO. 36 ON THIRD READING

The Speaker laid before the House, on its third reading,

H. J. R. No. 36, Proposing amendments to Section 4 of Article III; Sections 2, 4, 5, 21, 22, and 23 of Article IV; Section 9, 15, 20, 21, and 23 of Article V; Section 14 of Article VIII; Section 16 of Article VIII; and Section 44 of Article XVI; fixing the terms of office of the constitutional officers at four (4) years, and providing for salary and the manner of election.

The resolution was read third time.

Mr. Tennyson offered the following amendment to the resolution:

Amend H. J. R. No. 36, page 6, Section 23-b, line 9, by striking out the word "county," and by inserting between the words "officials" and "elected" the following: "herein named."

The amendment was adopted.

Mr. Alsup offered the following amendment to the resolution:

Amend House Joint Resolution No. 36 by striking out all of Sections 8, 9, 10, 11, 12, 13, 14, 15, and 16, and inserting in lieu thereof the following:

"That Section 20, of Article V, of the Constitution of Texas, be amended so as to hereafter read as follows:

"Section 20. There shall be elected for each county, by the qualified voters, a county clerk, who shall also be county treasurer, and who shall hold his office for two years, who shall be clerk of the county, and commissioners courts, and recorder of the county, whose duties and compensation shall be prescribed by the Legislature, and a vacancy in whose office shall be filled by the commissioners court until the next general election for county and State officers; provided, that in counties having a population of less than eight thousand persons, there may be an election of a single clerk who shall perform the duties of district and county clerk."

And renumber the sections accordingly.

ALSUP,
FAIN.

On motion of Mr. Canon, the amendment was tabled.

REQUESTING USE OF THE GREGORY GYMNASIUM

Mr. Moore offered the following resolution:

Whereas, The House of Representatives, by unanimous vote, authorized the use of the Hall of the House of Representatives by a mass meeting of those opposed to the repeal of the Eighteenth Amendment for the purpose of selecting candidates for delegates to the State convention; now, therefore, be it

Resolved by the House of Representatives, That the proper authori-

ties be requested to authorize the use of the Gregory Gymnasium, or the Memorial Stadium, at Austin, Texas, by the mass meeting of those favoring the repeal of the Eighteenth Amendment, in order that they may have a suitable place to hold their meeting and select their candidates for delegates to the State convention.

The resolution was read second time, and was adopted.

RECESS

On motion of Mr. Harman, the House, at 12 o'clock m., took recess to 2 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

HOUSE BILL NO. 911 ON SECOND READING

(By Unanimous Consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 911, A bill to be entitled "An Act defining and providing the powers and duties of commissioners court with regard to the laying out, opening, widening, draining, grading, construction, building, repairing, and maintaining of public roads, bridges, and viaducts; providing for the employment of a county engineer and purchasing agent; fixing the compensation of certain officers and employes, and defining their duties; authorizing and providing for the purchase and condemnation of land, materials, and dirt for the construction and maintenance of public highways, and providing for the appraisalment of same; abolishing the payment of road taxes by labor, and providing for the use of convicts on public projects; prohibiting any officer and employe of the county from being interested in any contract involving said county; etc., and declaring an emergency."

The bill was read second time.

Mrs. Hughes offered the following amendments to the bill:

(1)

Amend House Bill No. 911 by striking out all below the enacting

clause, and substituting in lieu thereof the following:

"Section 1. In all counties in this State, having a population of more than three hundred thousand (300,000) inhabitants and less than three hundred and fifty thousand (350,000) inhabitants, according to the last preceding or any subsequent Federal Census, the commissioners court of such counties shall have full power and authority, and it shall be its duty to adopt, at a meeting of said court, at which the county judge and at least three of the county commissioners of said counties shall be present and cause to be recorded in the minutes of said court, and put into effect such rules, regulations, plans, and system for the maintenance, laying out, opening, widening, draining, grading, constructing, building, and repairing of the public roads of said counties, other than the State Highways located therein, so as to facilitate travel between the communities thereof, subject to and in harmony with the provisions of this Act; which rules, regulations, plans, and system, together with any changes thereafter made in same, shall be binding upon, observed, and obeyed by the county commissioners, county judge, county engineer, and all employes of the county.

"Sec. 2. Each county commissioner of said counties shall be, and he is hereby, required to devote all of his time to the duties of his office; shall be in attendance at all sessions of the commissioners court, and shall establish and maintain office hours in the courthouse at least sixteen hours each week in addition to the time devoted to the holding of the commissioners court as a body; provided, in cases of necessity the county judge may excuse compliance with the provisions hereof with regard to attendance on the court and maintenance of office hours. Each county commissioner in each of said counties shall receive for his services the sum of forty-two hundred dollars (\$4,200) per annum payable monthly from the road and bridge and/or general fund of the county, which compensation shall be in full for all services rendered such counties.

"Sec. 3. Subject to the provisions of this Act and all laws relating to the subject matter, the county judge shall have the power, and he is here-

by required to appoint committees of two or more, composed of commissioners who shall have under their immediate supervision the various departments of the counties' affairs under the general direction of the court as a whole. Such committees shall be known as 'standing committees,' and they shall report to, and be responsible to, the court as a whole for the conduct of the affairs so placed under their supervision and shall make to the court, reports of the condition and affairs of the departments, showing in detail their activities and the condition of said departments; said reports shall be made to the court at least once every three (3) months and at any other time when requested by the county judge. Said committees shall have, and are hereby given, subject to the provisions of this Act, such power and authority as is specifically delegated to them by a resolution duly passed by the commissioners court by the affirmative vote of the county judge and two commissioners, and it is made their duty to perform all acts so delegated to them; provided, however, that they shall not have authority or power to make purchases or bind the county on any contract or pecuniary obligation, but in all such matters shall submit to the court as a whole, their recommendations with reference thereto, and said court shall pass upon all such matters, subject to the provisions of this Act and other laws relating thereto. The county judge is hereby given authority to change the personnel of such committees at his pleasure.

"Sec. 4. The commissioners court of such county shall, and it is hereby empowered to, appoint a county engineer, the selection of whom shall be controlled by consideration of skill and ability for such task. Such engineer shall hold office for a period of two years from the date of his selection, but may be removed from office at the pleasure of the commissioners court. He shall receive a salary, to be fixed by the commissioners court, not to exceed five thousand dollars (\$5,000) per year, to be paid out of the road and bridge funds of the county. Such engineer, before entering upon the discharge of his duties, shall take the oath of office prescribed by law, and shall execute a bond in the sum of twelve thousand five hundred dollars (\$12,-

500) with a good and sufficient surety thereon, to be approved by the county judge, payable to the county judge of said county and his successors in office in trust, for the use and benefit of the road and bridge fund of said county, conditioned that such engineer will faithfully and efficiently discharge and perform all the duties required of him by law and by the orders of said commissioners court and will faithfully and honestly and, in due time, account for all the moneys, property, and materials placed in his custody as such engineer.

"Said county engineer shall have, and is hereby given, the custody and control of all machinery, equipment, trucks, cars, teams, wagons, harness, tools, supplies, materials, and all other property that has been purchased by said counties out of the road and bridge fund, and that is now or may be hereafter used in connection with the maintenance, repairs, drainage, or construction of the county roads of said counties. Such equipment, materials, supplies, etc., when not in use, shall be, as near as practicable, kept in centrally located warehouses or shops, provided, that no part of said machinery shall be used for any other than a public purpose of the counties.

"Said county engineer shall have, and is hereby authorized to have, subject to the provisions of this Act, under his control and supervision, all maintenance, repair, drainage, and construction work on all county roads in said counties, whether the same be in relation to the present roads or any roads to be opened, laid out, and constructed, including all engineering and right of way work, and in the exercise of this duty he shall have, and is hereby given, power and authority to use any part or all of the teams, machinery, tools, trucks, cars, equipment, and material belonging to the road and bridge fund of the county, and to have under his supervision, all employes whose salaries are paid from said fund; provided, however, said engineer, in the performance of these duties, shall be under the general supervision of the 'standing committees' appointed by the county judge, and all repairs, widening, permanent construction, new construction, and bridge construction shall be done only after the

commissioners court has authorized same.

"The county engineer shall, whenever in his opinion it is advisable to make repairs, permanent improvements, widen or make new construction to any of the roads under his supervision, or open, lay out, and construct new roads in said counties, make to the proper 'standing committee' a report as to the condition and necessity for such work and his recommendation thereon. The committee shall, in turn, deliver such written statement and recommendation of such engineer to the commissioners court. They may add their approval or disapproval or a suggestion for such changes as they deem appropriate, provided, such work shall not be performed unless and until said commissioners court has authorized the same. The commissioners court is hereby forbidden to use or apply materials, machinery, equipment, etc., to a private, as distinguished from a public, purpose without fair compensation being paid therefor to the road and bridge fund of the county.

"Said engineer shall, as soon as possible after the passage of this Act, and at the end of every three months, make a complete inventory and appraisal of all tools, machinery, equipment, materials, trucks, cars, teams, wagons, and other property owned by the road and bridge fund, and transmit the same in written form to the commissioners court, which shall be kept as a 'permanent inventory record,' and when any of said tools, machinery, trucks, cars, teams, wagons, and other property and equipment becomes unusable, the engineer shall, by written report, state such fact, and the reasons that so make it, to the 'standing committee' having jurisdiction, with his recommendation; such 'standing committee' shall take said report to the commissioners court with such recommendations as it deems advisable, and the commissioners court shall have authority to dispose of such tools, machinery, trucks, cars, teams, wagons, and other property in such manner as it deems advisable. When tools, machinery, permanent supplies, trucks, cars, teams, wagons, and other property and equipment become unusable or are disposed of or taken out of service and, likewise, when new tools, machinery, permanent sup-

plies, trucks, cars, teams, wagons, and other property and equipment are purchased or acquired as herein specified, the same shall be shown on the 'permanent inventory record.'

"The commissioners court shall have, and is hereby given authority to employ and discharge all persons necessary to perform all the provisions of this Act; such employes shall receive such compensation as may be fixed by the commissioners court. All such employes, as well as all machinery, tools, cars, trucks, teams, wagons, and other property and equipment may be used in any part of said county and at such place and places and on such work as will result in the greatest amount of service to the greatest number of the county's citizenship and with a view of serving the best interests of the county as a whole, without respect to the amount of work performed or the amount of money expended in any one precinct.

"Said engineer shall keep or cause to be kept in triplicate, a daily time sheet which shall show the amount of time and character of work performed and the place where the same is performed by each person working under his supervision, one copy of which shall be furnished the county auditor, one copy to the clerk of commissioners court, and one copy shall be retained in his office, said time sheet to be furnished weekly or monthly as may be found to be practicable; said sheet shall show which project such time is chargeable to and shall so allocate the expenditures made on each project so as to show the cost thereof.

"Before actual construction shall have begun on any road or highway to be constructed or improved, the county engineer, under the direction of the commissioners court, shall make careful and accurate surveys of the roads and highways to be constructed and improved and file with the records of the commissioners court plans and specifications and estimates as to the cost thereof. Provided that failure or omission on the part of the court to require such surveys shall not invalidate any contract for road construction where work is actually performed thereon, and provided further, that the provisions of this section shall not apply to work done by county convicts.

"The county engineer shall perform

any and all other duties as may be prescribed from time to time by the commissioners court and he shall at all times be under the supervision and control of said court.

"Sec. 5. The commissioners court shall have the authority to employ special counsel, learned in the law, to advise the court or the commissioners thereof in all matters wherein the services of counsel may be required and also to conduct the litigation of the county in which the interests of the county may be involved, which employment may be made for such time and on such terms as the commissioners court may deem proper and expedient.

"Sec. 6. The commissioners court in such counties shall have the right to condemn any property necessary for the opening, widening, or maintaining of a public road or for the drainage of a public road or to secure material and dirt necessary for construction, widening, repairing, and maintaining a public road. Such suits shall be filed in either of the county courts at law of such counties by the criminal district attorney on an order of said commissioners court. The judge of the court in which said suit is filed shall appoint three disinterested freeholders as commissioners of appraisement who shall, after due hearing, appraise said land. Any party to said suit shall have the right to appeal from the award of such commissioners of appraisement, provided the objections thereto or appeal therefrom shall be prosecuted within 10 days from the date such award is actually filed with the clerk of the court by said commissioners of appraisement, provided in no event shall the county have to give bond. In the trial of such cases the commissioners of appraisement and/or the court shall consider the increased value, if any, caused or to be caused by the construction of such road or highway that accrues to the remaining adjacent land of the defendant, not condemned, in fixing the amount due the defendant for the land, dirt, material, etc., taken and damages. 'Increased value' as above set out shall include not only special benefits accruing to such land but also general benefits accruing to all land adjacent to such proposed highway by reason of the construction and maintenance of said highway.

"The commissioners court of such counties are hereby given the authority to secure by purchase or condemnation any right of way, land, material, dirt, etc., it deems necessary to assist the State Highway Department in the construction, maintenance, widening, and repairing a State highway within such counties and said court may make such agreements as it deems advisable with the State Highway Department to carry out the provisions hereof.

"The commissioners court of such counties are hereby given the authority to secure by purchase or condemnation in the name of the county any right of way, material, land, dirt, etc., lying within the corporate limits of any town or city of this State if the same be necessary to carry out the co-ordinated or cardinal road system or plan as promulgated by the said court or by the State Highway Department, and the road and bridge funds of the county may, if the court deems advisable, be expended within the corporate limits of such town or city to construct or maintain such highways or roads.

"Provided, however, the provisions hereof are cumulative of the present laws relating to condemnation and the commissioners court may proceed under the provisions hereof or under the provisions of the general laws with reference to the condemnation of right of way by railroads or by jury of view.

"Sec. 7. It shall be the duty of the county auditor to audit the records and accounts of all expenditures made from the road and bridge funds of the county or from any other funds, special, general, or bond funds, now on hand or hereafter held by said county or any road district thereof and said auditor shall have such power and authority so to do as is now provided or may hereafter be provided by law with regard to other funds of the county.

"Sec. 8. Whenever it shall be made to appear to the satisfaction of said commissioners court that it is necessary for the better drainage of any public road or roads within said counties, that the ditches along the right of way of any railroad, street car, interurban, or public utility in said counties should be emptied and drained, said court may, by an order

entered upon its minutes at a regular or special term of the court, require any such railway whose ditches or borrow-pits are so constructed or so out of repair as to impede the easy and rapid flow of water accumulating on, along, or near its right of way to the nearest gully, ravine, creek, water course, or outlet, and it shall be the duty of said company in reference to which said order is made and entered within sixty (60) days after a certified copy of said order shall have been delivered to any general officer of such same or to any of its agents in said counties to supply proper and sufficient drainage in the premises and within sixty (60) days thereafter to commence the work so ordered to be done and to continue such work with reasonable dispatch until its completion to the satisfaction of said court; and in the event such company, its officers, and agents shall fail to commence work within sixty (60) days from the date of service of a certified copy of such order and finish the same within a reasonable time, the commissioners court shall have such work performed, keeping an accurate account of the money expended upon said work, and said money so expended may be recovered from any such company along whose right of way said work was done at the suit of the counties for the benefit of its road and bridge fund in any court of competent jurisdiction.

"Sec. 9. In such counties the payment of road taxes by labor is abolished and all provisions of law concerning overseers shall be of no further force or effect.

"Sec. 10. All moneys received and/or collected from direct taxation or from any other source for the construction and maintenance of roads shall be placed to the credit of a fund to be known as the road and bridge fund and shall be budgeted as provided by law.

"Sec. 11. The commissioners court of such counties may appoint a purchasing agent for such county, whose duties, official bond, and compensation shall be fixed by said commissioners court, provided his compensation shall not exceed \$3,600 per year.

"All purchases of every kind and character, whether of supplies, materials, equipment, or machinery, shall be made through and by said

purchasing agent, regardless of whether same are to be paid for by the county or by any officer out of the fees of his office. The above enumeration shall not be construed as exclusive.

"Except in case of emergency, no purchase or contract of any kind or character, calling for the expenditure of public funds, shall be made by said purchasing agent and/or the commissioners court without first advertising for competitive bids, which said advertisement shall be inserted in a newspaper of general circulation published in said county for at least three insertions and the time between the first and third insertions shall be at least two weeks; and, in the event of an emergency, no single purchase of any kind and character, including materials and supplies out of the general fund of such counties, shall ever exceed an expenditure of \$150, and no single purchase of any kind and character, including supplies, materials, equipment, or machinery, out of the road and bridge funds of such counties, shall ever exceed the sum of \$300. In the event of emergency purchases, said purchasing agent shall secure written offers from at least three competitive concerns which offers, after completion of purchase thereunder, shall be filed with the county auditor. The commissioners court shall determine when an emergency exists, as hereinabove provided.

"If any officer or any employe of the county wilfully attempts to, or does, evade the provisions hereof regarding emergency purchases by any scheme or subterfuge, he shall be deemed guilty of malfeasance in office and, upon conviction thereof, shall be punished by a fine of not less than \$500 nor more than \$1,000, or by imprisonment in the county jail of said county not more than one year, or by both such fine and imprisonment; and in addition thereto may be removed from office.

"All advertisements calling for bids for contracts or supplies to be furnished the county or any officer or department of the county shall be published by order of the commissioners court under the name of the county auditor, and shall be returnable to him. Each bidder may be required to deposit with his bid a cashier's or certified check in the amount of 5 per cent or more of his bid. Said

bid shall be opened in an open meeting of the commissioners court and referred to the purchasing agent, and such other officials as may be designated by said court, and the purchasing agent and/or such committee as may be appointed by said court, shall tabulate same and return their findings to said court as soon as possible, with such recommendations, if any, they may deem advisable. Said court shall award such contract to or accept such bid of the lowest and best bidder. The court shall have the right to reject any and all bids, and their action in so doing shall be final.

"At the time of the execution of any contract based on competitive bids, the successful bidder shall be required to post a bond in at least the amount of the contract, executed by good and sufficient sureties, to be approved by the commissioners court, and conditioned upon the faithful performance of such contract.

"Sec. 12. The labor of convicts may be used in said counties in such manner and under such conditions as the commissioners court may prescribe; provided, however, such regulations shall not be contrary to the provisions of law relevant thereto.

"Sec. 13. Whenever the commissioners court shall deem it necessary or expedient to build, construct, improve, repair, or maintain roads of a permanent nature in said counties with the proceeds of the sale of bonds issued for road and bridge purposes under the terms of this Act, said court shall, at any regular meeting, pass and record in its minutes a resolution setting forth that it is the sense of said court that public roads and bridges of a permanent nature should be built, constructed, improved, repaired, or maintained in said counties, and that the county or any road district thereof should issue its bonds to raise money for that purpose in an amount to be named in such resolution, and said resolution shall be submitted to the vote of the property-owning, qualified voters of said counties at any regular or special election which the court may order for that purpose, and if at such election, a two-thirds majority of the votes cast shall be for such resolution, then the same shall be deemed to be adopted; otherwise, it shall be deemed to be rejected. Such election shall be governed in all respects by the laws

governing elections in this State, save that the time for holding such elections, the manner and kind of notice shall be fixed by the commissioners court, and the returns shall be made and canvassed in the same manner and the result declared by proclamation of the county judge of said county, which proclamation shall be posted in at least three public places in said counties or, at the option of said court, published one time in a daily newspaper in said counties.

"Sec. 14. No person shall be permitted to vote at any election provided for in the next preceding section of this Act unless he is a property owner, taxpayer, and qualified voter of said county or road district. Those desiring to vote for the resolution shall have written or printed on their ballots the words, 'For the resolution to issue bonds to', and those desiring to vote against the resolution shall have written or printed on their ballots the following: 'Against the resolution to issue bonds to'. (Here insert such purpose of the proposed bond issue as set forth in said resolution.) Such ballots shall be written or printed on plain white paper with black ink and shall contain no distinguishing mark or device except as above provided and, if printed, shall be in type of uniform size and face.

"Sec. 15. If, at the election hereinabove provided for, a two-thirds majority of the property-owning, qualified voters at said election shall vote in favor of the resolution hereinbefore provided for, and the commissioners court shall have canvassed the vote and declared the result and proclamation therefor has been made by the county judge or publication made in lieu thereof, declaring said result, then it shall be the duty of said court to prepare and execute the bonds of the county or road district thereof in such sums as may be deemed advisable by said court, not exceeding the amount authorized at the election, said bonds to bear interest at not exceeding five per cent (5%) per annum, payable annually or semi-annually as the courts shall direct, which bonds shall be redeemable or payable not more than thirty (30) years from the date thereof, and at such intermediate periods, serially, or otherwise as the courts may direct, the time of maturity to be ex-

pressed on the face of the bonds, and such bonds shall be registered or enrolled as in case of other county bonds, and the same shall not be sold or negotiated at less than their par value; provided, however, that the tax levy for the payment of interest and principal on any issue of bonds under the terms of this Act shall not exceed in any one case the sum of fifteen cents (15c) on the one hundred dollars (\$100) property valuation, and the amount of bonds so to be issued shall be limited accordingly; provided further, that nothing in this language, or in the terms of this Act, shall be held to impair the right of the county or any road district thereof to issue bonds under the provisions of Article III and Section 52 of the State Constitution, and the statutes enacted pursuant thereof.

"Sec. 16. At or prior to the issuance of said bonds, it shall be the duty of said commissioners court to levy an annual ad valorem tax on all property within the county liable to taxation, sufficient to provide for the interest on such bonds and to create a sinking fund for the payment of the principal thereof at the maturity of same. The fund arising from such tax and the levy thereof shall not be used for any other purpose than that for which it was created, and the proceeds of the sale of such bonds shall be confined strictly to the purpose for which they were issued and for all necessary and incidental expense incurred in the issuance and sale.

"Sec. 17. It shall be the duty of the county treasurer to keep a separate account of all moneys received from the sale of bonds of said counties and/or road districts thereof issued for road and bridge purposes, and he shall pay out none of it except on written order or warrant of the commissioners court, specifying the contract against which it is drawn or for the purpose for which it is expended.

"Sec. 18. All improvements, whether new construction, repair, widening, or extension of roads, highways, or bridges made from funds derived from bond issues shall be made by contract, after advertisement and bid, as herein provided; except as otherwise provided in this Act, no such contract shall be made until said county engineer shall have made and filed with

the commissioners court maps, profiles, plans, specifications, and estimates of the work to be done under such contract and not until said court shall have considered the same and order it of record; provided, however, that in the event said court shall have twice advertised for and rejected bids for the making of such contract, it may in its discretion proceed to do the work mentioned in said advertisement. In the expenditure of road funds other than moneys derived from the sale of bonds, the commissioners court may authorize the building, construction, and repair of roads by contract, day labor, or convict labor as said court shall deem to be for the best interests of the counties. In every instance where the court chooses to do so under the terms of this Act to build, improve, repair, or maintain roads by having the work done by the county, then the county must keep a careful and accurate record of the cost of the work, provided the work referred to in this Section shall be done under the direction of the county engineer in harmony with the other provisions of this Act.

"Sec. 19. It shall be unlawful for any member of said commissioners court or for any county officer to be or become financially interested, directly, or indirectly, in any contract with said counties for road work or for the purchase or sale of any material or supplies of any character or in any transaction whatsoever in connection with any of the roads of said counties, excepting only his own salary, fees or per diem. If any such county commissioner or such county officer shall wilfully violate any of the foregoing provisions of this Section, he shall be deemed guilty of a malfeasance in office and upon conviction thereof shall be punished by a fine of not less than five hundred dollars (\$500), nor more than one thousand dollars (\$1,000), or by imprisonment in the county jail of said counties for not more than one (1) year, or by both such fines and imprisonment and in addition thereto may be forthwith removed from office as provided for by General Law.

"Sec. 20. All fines for any and all violations of any of the provisions of this Act and any and all moneys which may be collected by or on behalf of said counties on, under, or by

virtue of any contract which may be executed under the provisions of this Act shall be applied to the road and bridge fund of said counties.

"Sec. 21. The terms 'road' and 'highway' as used in this Act shall be held to include bridges, culverts, roadbeds, ditches, drains, and every part of a road or highway as such terms are commonly understood whether herein specified or not.

"Sec. 22. This Act is and shall be held and construed to be a public act of which the courts shall take cognizance without proof thereof, and in any court proceedings wherein the provisions of this Act are drawn in question, the necessity for pleadings or proving same is hereby dispensed with.

"Sec. 23. The provisions of this Act are and shall be held and construed to be cumulative of all General Laws of this State on the subject treated of and embraced in this Act when not in conflict herewith, but in case of such conflict, in whole or in part, this Act shall control said counties: provided, however, that nothing in this Act shall be construed to impair or to take from the counties the right to issue bonds under the provisions of Section 52 of Article III of the State Constitution and the General Laws in pursuance thereof.

"Sec. 24. If any section, subdivision, paragraph, sentence, clause, or word of this Act be held to be unconstitutional, the remaining portions of same shall, nevertheless, be valid, and it is declared that such remaining portions would have been included in this Act though the unconstitutional portion had been omitted.

"Sec. 25. Any and all laws and parts of laws in conflict with any of the terms or provisions of this Act shall be and the same are hereby repealed; Chapter 57 of the Special Laws of the Thirty-fourth Legislature and an Act amendatory thereof, being Chapter 63 of the Special Laws of the Thirty-sixth Legislature (1919), be and the same are hereby expressly repealed; all special road laws of counties under the provisions of this Act are hereby repealed; provided, however, that all acts and things lawfully had and done thereunder are in no wise impaired or invalidated by this repealing clause.

"Section 26. The fact that such counties are now operating under a road Act that is not in all respects adequate to the needs of a growing county, and the importance of this measure to the people thereof, creates an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days in each House, be and the same is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

(2)

Amend House Bill No. 911 by striking out all above the enacting clause, and substituting in lieu thereof the following:

"H. B. No. 911,

A BILL

To Be Entitled

An Act defining and providing the powers and duties of the commissioners court with regard to the laying out, opening, widening, draining, grading, construction, building, repairing, and maintaining of public roads, bridges, viaducts; providing for the appointment of a county engineer and purchasing agent, and prescribing the duties of each; prescribing the manner in which supplies, materials, and contracts may be purchased or made by the county; fixing the compensation of certain officers and employes, and defining their duties; authorizing and providing for the purchase and condemnation of land, materials, and dirt for the construction and maintenance of public highways and providing for the appraisement of same; abolishing the payment of road taxes by labor, and providing for the use of convicts on public projects; prohibiting any officer and employe of the county from being interested in any contract involving said county; providing that right of ways belongings to private individuals or corporations shall be ditched, emptied, and drained so as to protect the public highways, and giving the commissioners court such authority in regard thereto; prescribing the manner in which bonds may be issued, the election therefor, and the manner in which same may be paid; prescribing the manner in

which bond funds may be expended; providing that the provisions of this Act are cumulative of all other laws other than special laws; declaring this Act to be a public act; providing that in the event any section, subdivision, paragraph, sentence, or clause of this Act be held unconstitutional, that the remaining portions shall be valid; repealing any and all laws or parts of laws in conflict herewith, and declaring an emergency."

COOMBES,
SAVAGE,
HUGHES,
STINSON,
PARKHOUSE,
REED of Dallas.

The amendments were severally adopted.

House Bill No. 911 was then passed to engrossment.

HOUSE BILL NO. 733 ON SECOND READING

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to engrossment,

H. B. No. 733, A bill to be entitled "An Act defining common carrier pipe lines engaged, or to engage, in the transportation of natural gas; declaring all corporations, persons, partnerships, or associations of persons, now engaged, or to hereafter engage, in transporting natural gas from place to place in this State, to be common carriers, declaring such common carriers to be public utilities, and making them subject to the provisions of this Act; giving the Railroad Commission of Texas the power to regulate the rate of such transportation by such common carriers; granting them the right to establish, maintain, and operate telegraph and telephone lines upon their right of ways in connection with their business, and to build and maintain their lines under and across or along streams, highways, and streets, as other common carriers within this State; etc.; and declaring an emergency."

The bill was read second time.

(Mr. Shannon in the Chair.)

Mr. Tennyson offered the following amendment to the bill:

Amend House Bill No. 733, page 4, Section 4, by striking out the entire sentence beginning with the word "Such," in line 31, and ending with the figures "(10%)," in line 35.

The amendment was adopted.

Mr. Long offered the following amendment to the bill:

Amend House Bill No. 733 at end of Section 2, by adding the following: "Provided, that no gas pipe line shall be required to transport sour or sulphuric gas."

The amendment was adopted.

(Speaker in the Chair.)

Mr. Lotief offered the following amendment to the bill:

Amend House Bill No. 733 by adding Section 11-a thereto, to read as follows:

"Section 11-a. That Article 7105, Chapter 4, Title 122, of the Revised Civil Statutes of Texas, 1925, be, and the same is hereby, amended so as to hereafter read as follows:

"Article 7105. Tax on Intangible Assets. Each incorporated railroad company, ferry company, bridge company, turnpike or toll company, oil pipe-line company, natural gas pipe-line company, and all common carrier pipe-line companies of every character whatsoever, engaged in the transportation of oil and/or natural gas, doing business wholly or in part within this State, whether incorporated under the laws of this State, or of any other State, territory, or foreign country, and every other individual, company, corporation, or association doing business of the same character in this State, in addition to the ad valorem taxes on tangible properties which are, or may be, imposed upon them, respectively, by law, shall pay an annual tax to the State, beginning with the first day of January of each year, on their intangible assets and property, and local taxes thereon to the counties in which its business is carried on; which additional tax shall be assessed and levied upon such intangible assets and property in the manner provided in this Chapter. The county or counties in which such taxes are to be paid, and the manner of apportionment of the same, shall be determined in accordance with the provisions of this Chapter."

"The purpose hereof is to place all common carrier oil pipe-line companies and all natural gas pipe-line companies that are herein declared to be common carriers under all the provisions of the intangible asset laws of this State; and, for the purpose of placing under said Act all taxpayers similarly situated, and to bring about a better classification and a wider distribution of the burdens of taxation as far as this class of taxpayers are concerned.

"It is the further intention hereof that this particular portion or provision of this measure shall be administered and enforced by the present State Tax Board, as now constituted, provided, that said State Tax Board shall have full authority to promulgate all reasonable and necessary rules and regulations governing all administration hereof as may be reasonable and necessary in the carrying out of the purposes of this Section; provided further, that said State Tax Board may employ such auditors, counsel, and tax supervisors as may be necessary for the proper administration and enforcement of the provisions of this Section or portions of this Act."

Mr. Clayton raised the following point of order:

I raise the following point of order on the amendment: That the amendment violates Section 30, of Article III, of the Constitution, and Section 7, of Rule XX, of the Rules of the House of Representatives, in that it changes the original purpose of the bill.

CLAYTON,
PARKHOUSE,
JAMES.

The Speaker sustained the point of order.

Mr. Clayton offered the following amendment to the bill:

Amend House Bill No. 733 by striking out of Section 1 (a), the following wording in line 14 and 15, page 2: "or engaged in the business of transporting gas by pipe line."

Mr. Tennyson moved to table the amendment.

The motion to table prevailed.

Mr. Daniel moved that Section 7, of Rule XV, of the House Rules, be suspended, for the purpose of permitting Mr. Lotief to offer the fol-

lowing amendment to House Bill No. 733, which amendment has heretofore been ruled out of order by the Speaker.

The motion prevailed by the following vote:

Yeas—76

Aikin.	Hughes.
Alsup.	Hunt.
Anderson	Jones of Runnels.
of Johnson.	Kayton.
Baker.	Kyle of Hays.
Bedford.	Laird.
Bourne.	Latham.
Bradley.	Lindsey.
Burns.	Long.
Camp.	Lotief.
Canon.	Magee.
Chastain.	McClain.
Colson.	Moffett.
Cowley.	Puryear.
Crossley.	Ramsey.
Daniel.	Ray.
Davidson.	Reed of Bowie.
Dean.	Roberts.
Engelhard.	Rogers of Hunt.
Fain.	Rollins.
Few.	Scott.
Ford.	Shannon.
Fuchs.	Shults.
Glass.	Smith.
Golson.	Steward.
Good.	Stovall.
Greathouse.	Sullivant.
Griffith.	Tarwater.
Harris.	Tennyson.
Harrison.	Thomas.
Hartzog.	Townsend.
Head.	Turlington.
Hester.	Van Zandt.
Hicks.	Vaughan.
Hodges.	Walker.
Holekamp.	Wells.
Holland.	Winningham.
Hoskins.	Wood.
Huddleston.	

Nays—32

Alexander.	McDougald.
Barron.	Mitcham.
Butler.	Munson.
Clayton.	Nicholson.
Coombes.	Parkhouse.
Devall.	Patterson.
Dunlap.	Paylica.
Dunagan.	Pope.
Hankamer.	Ratliff.
Hill of Brazoria.	Reed of Dallas.
Hyder.	Riddle.
Jackson.	Russell.
James.	Stanfield.
Johnson	Stinson.
of Anderson.	Wagstaff.
Kyle of Palo Pinto.	Young.
McCullough.	

Present—Not Voting

Goodman.

Absent

Anderson	Leonard.
of Bexar.	Mackay.
Barrett.	Mathis.
Beck.	McGregor.
Calvert.	Metcalfe.
Cathey.	Moore.
Caven.	Morrison.
Celaya.	Morse.
Duvall.	Palmer.
Dwyer.	Rogers
Graves.	of Ochiltree.
Harman.	Ross.
Holloway.	Savage.
Jefferson.	Scarborough.
Jones of Atascosa.	Tillery.
Jones of Shelby.	

Absent—Excused

Adamson.	Lemens.
Fisher.	McKee.
Haag.	Merritt.
Hill of Webb.	Reader.
Johnson	Renfro.
of Dimmit.	Weinert.

Mr. Lotief then offered the following amendment to the bill:

Amend House Bill No. 733 by adding Section 11-a thereto, to read as follows:

"Section 11-a. That Article 7105, Chapter 4, Title 122, of the Revised Civil Statutes of Texas, 1925, be, and the same is hereby, amended so as to hereafter read as follows:

"Article 7105. Tax on Intangible Assets. Each incorporated railroad company, ferry company, bridge company, turnpike, or toll company, oil pipe-line company, natural gas pipe-line company, and all common carrier pipe-line companies of every character whatsoever, engaged in the transportation of oil and/or natural gas, doing business wholly or in part within this State, whether incorporated under the laws of this State, or of any other State, territory, or foreign country, and every other individual, company, corporation, or association doing business of the same character in this State, in addition to the ad valorem taxes on tangible properties which are or may be imposed upon them respectively by law, shall pay an annual tax to the State, beginning with the first day of January of each year, on their intangible assets and property, and local taxes

thereon to the counties in which its business is carried on; which additional tax shall be assessed and levied upon such intangible assets and property in the manner provided in this Chapter. The county or counties in which such taxes are to be paid, and the manner of apportionment of the same, shall be determined in accordance with the provisions of this Chapter."

"The purpose hereof is to place all common carrier oil pipe-line companies and all natural gas pipe-line companies that are herein declared to be common carriers under all the provisions of the intangible asset tax laws of this State; and, for the purpose of placing under said Act all taxpayers similarly situated, and to bring about a better classification and a wider distribution of the burdens of taxation as far as this class of taxpayers are concerned.

"It is the further intention hereof that this particular portion or provision of this measure shall be administered and enforced by the present State Tax Board, as now constituted, provided that said State Tax Board shall have full authority to promulgate all reasonable and necessary rules and regulations governing all administration hereof as may be reasonable and necessary in the carrying out of the purposes of this Section; provided further that said State Tax Board may employ such auditors, counsel, and tax supervisors as may be necessary for the proper administration and enforcement of the provisions of this Section or portion of this Act."

LOTIEF,
GREATHOUSE.

Mr. Coombes raised a point of order on further consideration of the amendment on the ground that it violates certain provisions of the Constitution.

The Speaker overruled the point of order.

Mr. Nicholson offered the following amendment to the amendment:

Amend Lotief amendment to House Bill No. 733 by striking out the language, "oil pipe-line company," wherever used, and changing the language, "common carrier pipe line," wherever used, to "common carrier gas pipe line."

Mr. Daniel moved to table the amendment.

The motion to table prevailed.

Mr. Mitcham offered the following amendment to the amendment by Mr. Lotief:

Amend Lotief amendment to House Bill No. 733 by adding after "company," line 4, "electric light and power company"; and by adding "electric light and power company" after the words "pipe line," in line 22, page 1.

Mr. Lotief raised a point of order on further consideration of the amendment, on the ground that the amendment is not germane to the bill.

The Speaker sustained the point of order.

Mr. Mitcham moved that Section 7, of Rule XX, of the House Rules, be suspended for the purpose of considering the above amendment.

The motion was lost.

Mr. Barron offered the following amendment to the amendment.

Amend the Lotief amendment by adding, after the last word in Section 11-a, of the amendment, the following: "Provided, however, that any taxpayer that may now or hereafter be placed under any of the provisions hereof shall never, in addition, pay any occupation tax based or measured by gross receipts or gross production."

BARRON,
PARKHOUSE.

On motion of Mr. Greathouse, the amendment was tabled.

Mr. Daniel moved the previous question on the pending amendments and the bill, and the main question was ordered.

Question first recurring on the amendment by Mr. Lotief, it was adopted by the following vote:

Yeas—74

Aikin.	Colson.
Alsup.	Crossley.
Anderson	Daniel.
of Bexar.	Dean.
Anderson	Devall.
of Johnson.	Dwyer.
Baker.	Engelhard.
Bedford.	Fain.
Bourne.	Few.
Bradley.	Fuchs.
Burns.	Glass.
Camp.	Golson.
Canon.	Greathouse.
Cathey.	Griffith.
Caven.	Harris.
Chastain.	Harrison.

Head.	Ramsey.
Hodges.	Ray.
Holekamp.	Reed of Bowie.
Hoskins.	Roberts.
Huddleston.	Rogers of Hunt.
Hughes.	Rogers
Hunt.	of Ochiltree.
Hyder.	Rollins.
James.	Russell.
Jefferson.	Shannon.
Jones of Atascosa.	Shults.
Jones of Runnels.	Smith.
Jones of Shelby.	Stovall.
Kayton.	Sullivant.
Latham.	Tarwater.
Lindsey.	Tennyson.
Long.	Thomas.
Lotief.	Townsend.
Mackay.	Turlington.
Magee.	Vaughan.
McClain.	Walker.
Palmer.	Winningham.
Puryear.	

Nays—26

Barron.	Johnson
Butler.	of Anderson.
Calvert.	McCullough.
Clayton.	Mitcham.
Coombes.	Nicholson.
Cowley.	Parkhouse.
Dunlap.	Pavlica.
Duvall.	Ratliff.
Ford.	Reed of Dallas.
Goodman.	Scarborough.
Hankamer.	Scott.
Hill of Brazoria.	Stanfield.
Jackson.	Stinson.
	Wagstaff.

Absent

Alexander.	McDougald.
Barrett.	McGregor.
Beck.	Metcalf.
Celaya.	Moffett.
Davidson.	Moore.
Dunagan.	Morrison.
Good.	Morse.
Graves.	Munson.
Harman.	Patterson.
Hartzog.	Pope.
Hester.	Riddle.
Hicks.	Ross.
Holland.	Savage.
Holloway.	Steward.
Kyle of Hays.	Tillery.
Kyle of Palo Pinto.	Van Zandt.
Laird.	Wells.
Leonard.	Wood.
Mathis.	Young.

Absent—Excused

Adamson.	Johnson
Fisher.	of Dimmit.
Haag.	Lemens.
Hill of Webb.	McKee.

Merritt.
Reader.

Renfro.
Weinert.

Mr. Burns offered the following amendment to the bill:

Amend House Bill 733 by adding thereto another new Section, 11-b, re-numbering the sections accordingly:

"Section 11-b. That Article 7047, Title 122, Revised Civil Statutes, 1925, be amended by adding a new Section, numbered and to read hereafter as follows:

"Article 7047-e. In order to supplement the Available School Fund of the State, and to reduce the burden of ad valorem taxation on property within the State, there is hereby levied a tax on the retail sales of all cigars made of tobacco and sold or offered for sale within this State, in the sum of one cent (1c) on each five cent (5c) of retail sale price or fractional part thereof. Said tax shall be paid on account of any cigars so sold by the person, firm, or corporation making the sale thereof in intrastate commerce in this State, and the payment of said tax shall be evidenced by stamps purchased from the State Treasurer and properly cancelled and securely affixed to the package or container in which said cigars are sold or offered for sale. Each container, box, or package containing cigars intended for sale within this State shall bear a label accordingly affixed thereto showing the number of cigars contained therein and the price at which each cigar so contained therein is intended to be sold at retail to the consumer. Such container, box, or package shall have affixed thereto, before the United States Internal Revenue stamp affixed thereto is broken, a stamp showing that the tax levied herein has been paid. It shall be unlawful for any person, firm, or corporation to open said box, container, or package and sell or expose for sale any part of the contents thereof without having cancelled the tax stamp thereon.

"It shall be the duty of the State Treasurer to have engraved or printed stamps of proper denomination necessary to comply with this Act and to sell the same to all merchants or dealers upon demand and payment therefor and the proceeds of these sales shall be placed to the credit of the State Available School Fund, and the State Treasurer shall be responsible

for the custody and sale of such stamps and the proceeds of such sales under his official bond. Such stamps shall be of such design as the State Treasurer shall from time to time prescribe, and shall state the amount of tax, the payment of which is evidenced thereby and shall contain the words: "Texas State tax paid."'"

Mr. Anderson of Bexar raised a point of order on further consideration of the amendment, on the ground that the amendment is not germane to the bill.

The Speaker sustained the point of order.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House Bill No. 733 was then passed to engrossment by the following vote:

Yeas—79

Aikin.	Jefferson.
Alsup.	Johnson
Anderson	of Anderson.
of Johnson.	Jones of Atascosa.
Baker.	Jones of Runnels.
Barrett.	Jones of Shelby.
Bedford.	Kayton.
Bourne.	Kyle of Hays.
Bradley.	Laird.
Burns.	Latham.
Canon.	Lindsey.
Cathey.	Long.
Caven.	Lotief.
Chastain.	Mackay.
Colson.	Magee.
Crossley.	McClain.
Daniel.	Morrison.
Davidson.	Munson.
Dean.	Palmer.
Devall.	Puryear.
Engelhard.	Ramsey.
Fain.	Ray.
Few.	Reed of Bowie.
Fuchs.	Roberts.
Glass.	Rogers of Hunt.
Golson.	Rogers
Greathouse.	of Ochiltree.
Griffith.	Rollins.
Harris.	Russell.
Harrison.	Shannon.
Hartzog.	Shults.
Head.	Smith.
Hodges.	Stovall.
Holekamp.	Sullivant.
Holland.	Tarwater.
Hoskins.	Tennyson.
Huddleston.	Thomas.
Hunt.	Turlington.
Hyder.	Van Zandt.

Vaughan.
Walker.

Winningham.
Wood.

Nays—42

Alexander.
Anderson
of Bexar.
Barron.
Butler.
Calvert.
Camp.
Clayton.
Coombes.
Cowley.
Dunlap.
Dunagan.
Duvall.
Ford.
Goodman.
Hankamer.
Hester.
Hill of Brazoria.
Holloway.
Hughes.
Jackson.
James.

Kyle of Palo Pinto.
McCullough.
McDougald.
McGregor.
Mitcham.
Moffett.
Nicholson.
Parkhouse.
Patterson.
Pavlica.
Pope.
Ratliff.
Reed of Dallas.
Scarborough.
Scott.
Stanfield.
Steward.
Stinson.
Townsend.
Wagstaff.
Young.

Absent

Beck.
Celaya.
Dwyer.
Good.
Graves.
Harman.
Hicks.
Leonard.
Mathis.

Metcalfe.
Moore.
Morse.
Riddle.
Ross.
Savage.
Tillery.
Wells.

Absent—Excused

Adamson.
Fisher.
Haag.
Hill of Webb.
Johnson
of Dimmit.

Lemens.
McKee.
Merritt.
Reader.
Renfro.
Weinert.

MOTION TO TAKE UP HOUSE
BILL NO. 733

Mr. Tennyson moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 733 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

Yeas—78

Aikin.
Alsup.
Anderson
of Bexar.

Anderson
of Johnson.
Baker.
Bedford.

Bourne.
Bradley.
Burns.
Calvert.
Camp.
Canon.
Caven.
Chastain.
Crossley.
Daniel.
Dean.
Devall.
Engelhard.
Fain.
Few.
Fuchs.
Glass.
Golson.
Greathouse.
Griffith.
Harris.
Head.
Hodges.
Holekamp.
Holland.
Hoskins.
Huddleston.
Hunt.
Jefferson.
Johnson
of Anderson.
Jones of Atascosa.
Jones of Runnels.
Jones of Shelby.
Kayton.
Laird.
Latham.

Lindsey.
Long.
Lotief.
Mackay.
Magee.
McClain.
McDougald.
Morrison.
Munson.
Palmer.
Puryear.
Ramsey.
Ratliff.
Ray.
Reed of Bowie.
Riddle.
Roberts.
Rogers of Hunt.
Rogers
of Ochiltree.
Shannon.
Shults.
Smith.
Steward.
Stovall.
Sullivant.
Tarwater.
Tennyson.
Thomas.
Tillery.
Turlington.
Van Zandt.
Vaughan.
Wagstaff.
Walker.
Winningham.
Wood.

Nays—42

Alexander.
Barron.
Butler.
Cathey.
Clayton.
Colson.
Coombes.
Cowley.
Davidson.
Dunlap.
Dunagan.
Duvall.
Dwyer.
Ford.
Goodman.
Hankamer.
Harrison.
Hartzog.
Hester.
Hill of Brazoria.
Holloway.

Hughes.
Hyder.
Jackson.
James.
Kyle of Palo Pinto.
McCullough.
McGregor.
Mitcham.
Moffett.
Nicholson.
Parkhouse.
Patterson.
Pavlica.
Pope.
Reed of Dallas.
Russell.
Scarborough.
Stanfield.
Stinson.
Townsend.
Young.

Absent

Barrett.
Beck.
Celaya.

Good.
Graves.
Harman.

Hicks.	Morse.
Kyle of Hays.	Rollins.
Leonard.	Ross.
Mathis.	Savage.
Metcalfe.	Scott.
Moore.	Wells.

Absent—Excused

Adamson.	Lemens.
Fisher.	McKee.
Haag.	Merritt.
Hill of Webb.	Reader.
Johnson	Renfro.
of Dimmit.	Weinert.

BILLS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

H. B. No. 647, "An Act to amend Article 4686, of the Revised Civil Statutes of 1925, by prohibiting individuals, not otherwise expressly permitted by statute, to engage in the business of insuring others against insurable losses; providing that the Board of Insurance Commissioners shall be satisfied that any insurance carrier applying for a certificate of authority has in all respects complied with the laws of this State; providing that it shall be the duty of the Board of Insurance Commissioners to issue to such qualified carrier a certificate of authority under its seal, authorizing such carrier to transact an insurance business, naming the particular kind of same, for a period of not more than twelve months, and such authority not to extend beyond the last day of February following the date of issuance of said certificate; defining the term 'carrier,' and declaring an emergency."

S. B. No. 557, "An Act making an appropriation of twenty-five thousand dollars (\$25,000) to pay the contingent expenses of the Regular Session of the Forty-third Legislature."

S. B. No. 558, "An Act appropriating the sum of one hundred thousand dollars (\$100,000), or so much thereof as may be necessary, payable out of the General Revenue Fund, to pay the mileage and per diem of Members, and the salaries and per diem of officers and employes of the Forty-third Legislature of the State of Texas; and declaring an emergency."

H. B. No. 886, "An Act to amend Article 1667, of the Revised Civil Statutes of Texas for 1925, as amended by House Bill No. 59, Chapter 38, of the Second Called Session of the Forty-second Legislature, so that the provisions of said Article shall hereafter extend to all counties containing a population of one hundred and ten thousand (110,000), or more, as shown by the preceding Federal Census; and declaring an emergency."

SPECIAL ORDER SET

Mr. Jefferson moved that House Bill No. 898 be set as a special order for 5:30 o'clock p. m., today.

The motion prevailed.

HOUSE BILL NO. 47 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 47, A bill to be entitled "An Act to prohibit the wilful taking, injury, or destruction of trees, shrubs, vines, flowers, and moss on land of another, or on land reserved, set aside, or maintained by the State as a public highway or public park, or as a refuge or sanctuary for wild animals, etc., and declaring an emergency."

The bill was read third time.

Mr. Pope moved the previous question on the passage of the bill, and the main question was ordered.

House Bill No. 47 was then passed by the following vote:

Yeas—54

Aikin.	Hill of Brazoria.
Alexander.	Hodges.
Barrett.	Holekamp.
Bedford.	Holland.
Bradley.	Holloway.
Butler.	Hughes.
Canon.	Hyder.
Chastain.	James.
Clayton.	Jefferson.
Colson.	Latham.
Davidson.	Mackay.
Dwyer.	McGregor.
Engelhard.	Moffett.
Ford.	Moore.
Fuchs.	Morse.
Golson.	Munson.
Hankamer.	Nicholson.
Harrison.	Parkhouse.
Hartzog.	Patterson.
Hester.	Pope.

Ramsey.	Smith.
Ray.	Stanfield.
Reed of Dallas.	Steward.
Rollins.	Townsend.
Ross.	Turlington.
Russell.	Wagstaff.
Shannon.	Winningham.

Nays—50

Alsup.	Lotief.
Anderson	McClain.
of Bexar.	McCullough.
Anderson	Mitcham.
of Johnson.	Morrison.
Baker.	Palmer.
Bourne.	Pavlica.
Calvert.	Puryear.
Camp.	Ratliff.
Caven.	Reed of Bowie.
Coombes.	Riddle.
Cowley.	Roberts.
Crossley.	Rogers of Hunt.
Dunagan.	Rogers
Fain.	of Ochiltree.
Few.	Scarborough.
Glass.	Scott.
Goodman.	Shults.
Harris.	Stinson.
Head.	Stovall.
Huddleston.	Tarwater.
Hunt.	Thomas.
Jones of Atascosa.	Tillery.
Jones of Runnels.	Van Zandt.
Jones of Shelby.	Vaughan.
Laird.	Walker.
Lindsey.	

Absent

Barron.	Johnson
Beck.	of Anderson.
Burns.	Kayton.
Cathey.	Kyle of Hays.
Celaya.	Kyle of Palo Pinto.
Daniel.	Leonard.
Dean.	Long.
Devall.	Magee.
Dunlap.	Mathis.
Duvall.	McDougald.
Good.	Metcalf.
Graves.	Savage.
Greathouse.	Sullivant.
Griffith.	Tennyson.
Harman.	Wells.
Hicks.	Wood.
Hoskins.	Young.
Jackson.	

Absent—Excused

Adamson.	Lemens.
Fisher.	McKee.
Haag.	Merritt.
Hill of Webb.	Reader.
Johnson	Renfro.
of Dimmit.	Weinert.

HOUSE BILL NO. 183 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 183, A bill to be entitled "An Act to regulate the occupation and practice of cosmetology; to create a State Board of Cosmetologists for the licensing of persons, firms, co-partnerships, associations, or corporations to carry on and/or to teach such practice, to insure the better education of such practitioners, etc."

The bill was read third time.

Mr. Kayton moved the previous question on the passage of the bill, and the main question was ordered.

House Bill No. 183 was then passed by the following vote:

Yeas—65

Alexander.	Kayton.
Anderson	Kyle of Palo Pinto.
of Bexar.	Latham.
Bedford.	Magee.
Bradley.	Mackay.
Burns.	McCullough.
Butler.	McDougald.
Clayton.	McGregor.
Colson.	Moffett.
Coombes.	Moore.
Crossley.	Morse.
Duvall.	Munson.
Dwyer.	Nicholson.
Engelhard.	Parkhouse.
Ford.	Patterson.
Fuchs.	Pope.
Golson.	Puryear.
Good.	Ramsey.
Greathouse.	Ray.
Hankamer.	Reed of Dallas.
Harrison.	Riddle.
Hartzog.	Shannon.
Hester.	Smith.
Hill of Brazoria.	Stanfield.
Hodges.	Steward.
Holland.	Stinson.
Holloway.	Sullivant.
Hughes.	Tarwater.
Hyder.	Thomas.
James.	Turlington.
Jefferson.	Van Zandt.
Johnson	Wagstaff.
of Anderson.	Young.
Jones of Shelby.	

Nays—45

Aikin.	Barrett.
Alsup.	Bourne.
Anderson	Calvert.
of Johnson.	Camp.
Baker.	Canon.

Cathey.	Palmer.
Chastain.	Pavlica.
Cowley.	Ratliff.
Dean.	Reed of Bowie.
Devall.	Roberts.
Fain.	Rogers of Hunt.
Few.	Rollins.
Glass.	Russell.
Harris.	Scarborough.
Head.	Scott.
Huddleston.	Shults.
Jones of Atascosa.	Stovall.
Jones of Runnels.	Tillery.
Lindsey.	Townsend.
Lotief.	Vaughan.
McClain.	Walker.
Mitcham.	Winningham.
Morrison.	Wood.

Present—Not Voting

Goodman.	Hunt.
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Absent

Barron.	Jackson.
Beck.	Kyle of Hays.
Caven.	Laird.
Celaya.	Leonard.
Daniel.	Long.
Davidson.	Mathis.
Dunlap.	Metcalf.
Dunagan.	Rogers
Graves.	of Ochiltree.
Griffith.	Ross.
Harman.	Savage.
Hicks.	Tennyson.
Holekamp.	Wells.
Hoskins.	

Absent—Excused

Adamson.	Lemens.
Fisher.	McKee.
Haag.	Merritt.
Hill of Webb.	Reader.
Johnson	Renfro.
of Dimmit.	Weinert.

HOUSE BILL NO. 310 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 310, A bill to be entitled "An Act defining 'warehouseman' and 'warehouse' and names associated therewith; and providing for licensing and bonding of same and the manner of securing license and bond; and providing for the procedure thereof; defining the duties and liabilities of warehousemen; and providing for the Commissioner of Agriculture to supervise warehouses; and providing for records to be kept, and for the inspection of same; for warehouse ex-

aminers with a general director thereof; for salaries and qualifications, and for bonding of same, and prescribing their duties; providing for warehousemen to furnish an annual audit of reserve funds, assets, and liabilities, and the manner of making same; providing for examination fees, fixing the amount of same and to whom payable; providing for the disposition of same to the State Treasurer in a special fund, etc., and declaring an emergency."

The bill was read third time.

Mr. Tarwater offered the following amendments to the bill:

(1)

Amend committee amendment No. 1 to House Bill No. 310, Section 4, page 6, by striking out of line 24, the words "provided, how-" and all of lines 25, 26, and 27.

(2)

Amend committee amendment No. 1 to House Bill No. 310 by striking out the word "twice," in line 27, Section 4, line 5, and insert therefor the words "at least once."

The amendments were severally adopted.

House Bill No. 310 was then passed.

HOUSE BILL NO. 337 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 337, A bill to be entitled "An Act declaring monopolies contrary to public policy of this State; making it unlawful for those engaged in the public utility business to prevent or hinder legitimate competition, or to fix discriminatory rates; making the Act applicable to subsidiary and associated corporations; providing for prima facie evidence of violation; providing for quo warranto proceedings and forfeiture of charter; repealing all laws and parts of laws in conflict herewith, and declaring and emergency."

The bill was read third time.

Mr. Lotief moved the previous question on the pending amendment and the bill, and the main question was ordered.

Mr. Lotief offered the following amendment to the bill:

Amend House Bill No. 337, Section 5, lines 8 and 9, by striking out after the word "petition," and before the word "or," the following: "if such rates and prices are fair and reasonable," and by inserting in Section 5, line 22, after the word "think," the following: "such rates and prices are fair and."

The amendment was adopted.

House Bill No. 337 was then passed by the following vote:

Yeas—64

Aikin.	Lotief.
Alsup.	Magee.
Anderson	Mackay.
of Johnson.	McClain.
Barrett.	Morrison.
Bourne.	Palmer.
Bradley.	Pope.
Burns.	Puryear.
Calvert.	Ramsey.
Canon.	Ray.
Cathey.	Reed of Bowie.
Chastain.	Roberts.
Crossley.	Rogers of Hunt.
Dunagan.	Rogers
Engelhard.	of Ochiltree.
Fain.	Rollins.
Few.	Russell.
Fuchs.	Shannon.
Glass.	Shults.
Golson.	Smith.
Harris.	Stovall.
Harrison.	Sullivan.
Hartzog.	Tarwater.
Head.	Tennyson.
Hodges.	Thomas.
Holland.	Tillery.
Hoskins.	Townsend.
Huddleston.	Turlington.
Hughes.	Van Zandt.
Jones of Atascosa.	Vaughan.
Jones of Shelby.	Walker.
Kyle of Hays.	Winningham.
Lindsey.	Wood.

Nays—42

Alexander.	Hicks.
Anderson	Hunt.
of Bexar.	Hyder.
Baker.	Jackson.
Beck.	James.
Camp.	Jefferson.
Clayton.	Johnson
Coombes.	of Anderson.
Dwyer.	Kayton.
Ford.	Kyle of Palo Pinto.
Good.	McDougald.
Goodman.	McGregor.
Hankamer.	Mitcham.

Moffett.	Reed of Dallas.
Moore.	Riddle.
Morse.	Ross.
Munson.	Scarborough.
Nicholson.	Scott.
Parkhouse.	Stanfield.
Patterson.	Steward.
Pavlica.	Stinson.
Ratliff.	Wagstaff.

Present—Not Voting

Devall.

Absent

Barron.	Hester.
Bedford.	Hill of Brazoria.
Butler.	Holekamp.
Caven.	Holloway.
Celaya.	Jones of Runnels.
Colson.	Laird.
Cowley.	Latham.
Daniel.	Leonard.
Davidson.	Long.
Dean.	Mathis.
Dunlap.	McCullough.
Duvall.	Metcalf.
Graves.	Savage.
Greathouse.	Wells.
Griffith.	Young.
Harman.	

Absent—Excused

Adamson.	Lemens.
Fisher.	McKee.
Haag.	Merritt.
Hill of Webb.	Reader.
Johnson	Renfro.
of Dimmit.	Weinert.

HOUSE BILL NO. 831 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 831, A bill to be entitled "An Act, the purpose of which is to safeguard the health of the people of this State by insuring the sanitary and healthful production and distribution of fluid milk and sweet cream; defining 'fluid milk,' 'sweet cream,' 'butter fat,' 'milk distributors,' and 'milk producers'; providing for the Commissioner of Agriculture to promulgate and publish rules governing the production of milk; empowering and directing such Commissioner to fix minimum prices for which fluid milk and sweet cream may be sold, such minimum prices to be based upon costs of producing healthful milk; providing that the Commissioner may change such minimum prices, not oftener than twice each year, to meet the fluctuations in production costs,

and providing for the Commissioner to publish such prices; providing further for the Commissioner to employ assistants and incur expenses for investigations of production costs, and that he shall investigate production costs, inspect dairies, and require reports of methods and production costs from milk producers, etc., and declaring an emergency."

The bill was read third time.

(Mr. Barrett in the Chair.)

Mr. James moved the previous question on the passage of the bill, and the main question was ordered.

House Bill No. 831 was then passed by the following vote:

Yeas—65

Alexander.	James.
Anderson	Jefferson.
of Bexar.	Jones of Atascosa.
Anderson	Jones of Runnels.
of Johnson.	Lotief.
Baker.	Mackay.
Bedford.	Mathis.
Bradley.	McClain.
Butler.	McDougald.
Calvert.	McGregor.
Canon.	Moffett.
Colson.	Moore.
Cowley.	Morrison.
Davidson.	Morse.
Dean.	Nicholson.
Duvall.	Pavlica.
Engelhard.	Pope.
Fain.	Ramsey.
Few.	Ray.
Ford.	Roberts.
Fuchs.	Rogers
Goodman.	of Ochiltree.
Greathouse.	Rollins.
Griffith.	Scarborough.
Harris.	Shults.
Hartzog.	Stanfield.
Hester.	Stovall.
Hill of Brazoria.	Sullivan.
Hodges.	Tarwater.
Holekamp.	Thomas.
Holland.	Turlington.
Hoskins.	Van Zandt.
Hughes.	Vaughan.
Hunt.	Wood.

Nays—51

Aikin.	Coombes.
Alsup.	Crossley.
Beck.	Devall.
Bourne.	Dunagan.
Burns.	Glass.
Cathey.	Golson.
Chastain.	Good.
Clayton.	Hankamer.

Harman.	Puryear.
Head.	Ratliff.
Hicks.	Reed of Bowie.
Huddleston.	Reed of Dallas.
Hyder.	Riddle.
Jackson.	Rogers of Hunt.
Johnson	Russell.
of Anderson.	Savage.
Kyle of Hays.	Scott.
Kyle of Palo Pinto.	Shannon.
Latham.	Steward.
Lindsey.	Stinson.
Magee.	Tennyson.
McCullough.	Tillery.
Mitcham.	Townsend.
Munson.	Wagstaff.
Palmer.	Walker.
Parkhouse.	Winningham.

Present—Not Voting

Smith.

Absent

Barrett.	Jones of Shelby.
Barron.	Kayton.
Camp.	Laird.
Caven.	Leonard.
Celaya.	Long.
Daniel.	Metcalf.
Dunlap.	Patterson.
Dwyer.	Ross.
Graves.	Wells.
Harrison.	Young.
Holloway.	

Absent—Excused

Adamson.	Lemens.
Fisher.	McKee.
Haag.	Merritt.
Hill of Webb.	Reader.
Johnson	Renfro.
of Dimmit.	Weinert.

Mr. Vaughan moved to reconsider the vote by which the bill was passed.

Mr. James moved to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—58

Alexander.	Colson.
Anderson	Cowley.
of Bexar.	Crossley.
Anderson	Daniel.
of Johnson.	Dunlap.
Baker.	Dwyer.
Bedford.	Engelhard.
Bradley.	Fain.
Calvert.	Few.
Canon.	Ford.

Fuchs.	McClain.
Goodman.	Moore.
Greathouse.	Morse.
Griffith.	Nicholson.
Harris.	Pavlica.
Hartzog.	Pope.
Hester.	Ray.
Hill of Brazoria.	Roberts.
Hodges.	Rogers
Holekamp.	of Ochiltree.
Holland.	Rollins.
Hughes.	Shults.
James.	Smith.
Jefferson.	Stanfield.
Johnson	Sullivan.
of Anderson.	Tarwater.
Jones of Atascosa.	Thomas.
Jones of Runnels.	Turlington.
Kyle of Hays.	Van Zandt.
Lotief.	Wood.
Mackay.	Young.

Nays—54

Aikin.	McCullough.
Alsup.	Mitcham.
Beck.	Moffett.
Bourne.	Morrison.
Burns.	Munson.
Butler.	Palmer.
Cathy.	Parkhouse.
Chastain.	Puryear.
Clayton.	Ramsey.
Coombes.	Ratliff.
Devall.	Reed of Bowie.
Dunagan.	Reed of Dallas.
Glass.	Rogers of Hunt.
Golson.	Ross.
Good.	Russell.
Hankamer.	Savage.
Harman.	Scarborough.
Head.	Scott.
Hicks.	Shannon.
Huddleston.	Steward.
Hunt.	Stinson.
Hyder.	Stovall.
Jackson.	Tennyson.
Kyle of Palo Pinto.	Vaughan.
Latham.	Wagstaff.
Lindsey.	Walker.
Magee.	Winningham.

Present—Not Voting

Holloway.

Absent

Barrett.	Jones of Shelby.
Barron.	Kayton.
Camp.	Laird.
Caven.	Leonard.
Celaya.	Long.
Davidson.	Mathis.
Dean.	McDougald.
Duvall.	McGregor.
Graves.	Metcalfe.
Harrison.	Patterson.
Hoskins.	Riddle.

Tillery.	Wells.
Townsend.	

Absent—Excused

Adamson.	Lemens.
Fisher.	McKee.
Haag.	Merritt.
Hill of Webb.	Reader.
Johnson	Renfro.
of Dimmit.	Weinert.

(Speaker in the Chair.)

MESSAGE FROM THE SENATE

Senate Chamber,

Austin, Texas, May 16, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 340, A bill to be entitled "An Act amending Article 2688, of the Revised Civil Statutes of Texas, 1925, as amended by Acts, 1931, House Bill No. 904, Chapter 357, General Laws of the Regular Session of the Forty-second Legislature (same likewise appearing printed as House Bill No. 904, Chapter 212, page 426, Special Laws of the Regular Session of the Forty-second Legislature) and as further amended by Acts, 1932, House Bill No. 51, Chapter 21, pages 47 and 48, of the Third Called Session of the Forty-second Legislature, establishing the office of county superintendent of public instruction, and providing that the commissioners court of every county which has three thousand (3,000) scholastic population or more, as shown by the preceding scholastic census, shall, at the next general election after 1934, and likewise each four years thereafter, provide for the election of a county superintendent of public instruction to serve for a term of four (4) years; etc., and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 911 ON THIRD READING

Mrs. Hughes moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 911 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—111

Aikin.	Johnson
Alexander.	of Anderson.
Alsup.	Jones of Atascosa.
Anderson	Jones of Runnels.
of Bexar.	Kyle of Hays.
Anderson	Kyle of Palo Pinto.
of Johnson.	Laird.
Baker.	Latham.
Barrett.	Lindsey.
Barron.	Lotief.
Beck.	Magee.
Bourne.	Mathis.
Bradley.	McClain.
Burns.	McCullough.
Butler.	McDougald.
Calvert.	Moffett.
Canon.	Moore.
Cathey.	Morrison.
Clayton.	Morse.
Colson.	Munson.
Coombes.	Nicholson.
Cowley.	Palmer.
Davidson.	Parkhouse.
Dean.	Patterson.
Devall.	Pavlica.
Dunagan.	Pope.
Duvall.	Puryear.
Dwyer.	Ramsey.
Engelhard.	Ratliff.
Fain.	Reed of Bowie.
Few.	Reed of Dallas.
Ford.	Roberts.
Fuchs.	Rogers of Hunt.
Glass.	Rogers
Golson.	of Ochiltree.
Good.	Rollins.
Goodman.	Ross.
Greathouse.	Scarborough.
Griffith.	Scott.
Hankamer.	Shannon.
Harman.	Shults.
Harris.	Smith.
Hartzog.	Stanfield.
Head.	Steward.
Hester.	Stinson.
Hicks.	Stovall.
Hill of Brazoria.	Sullivant.
Hodges.	Tarwater.
Holekamp.	Tennyson.
Holland.	Thomas.
Huddleston.	Townsend.
Hughes.	Turlington.
Hunt.	Van Zandt.
Hyder.	Vaughan.
Jackson.	Wagstaff.
James.	Walker.
Jefferson.	Winningham.
	Wood.

Absent

Bedford.	Caven.
Camp.	Celaya.

Chastain.	Mackay.
Crossley.	McGregor.
Daniel.	Metcalf.
Dunlap.	Mitcham.
Graves.	Ray.
Harrison.	Riddle.
Holloway.	Russell.
Hoskins.	Savage.
Jones of Shelby.	Tillery.
Kayton.	Wells.
Leonard.	Young.
Long.	

Absent—Excused

Adamson.	Lemens.
Fisher.	McKee.
Haag.	Merritt.
Hill of Webb.	Reader.
Johnson	Renfro.
of Dimmit.	Weinert.

The Speaker then laid House Bill No. 911 before the House on its third reading and final passage.

The bill was read third time.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House Bill No. 911 was then passed by the following vote:

Yeas—112

Aikin.	Ford.
Alexander.	Fuchs.
Alsup.	Glass.
Anderson	Golson.
of Bexar.	Good.
Anderson	Goodman.
of Johnson.	Greathouse.
Baker.	Griffith.
Barrett.	Hankamer.
Barron.	Harris.
Beck.	Head.
Bedford.	Hester.
Bourne.	Hicks.
Bradley.	Hill of Brazoria.
Burns.	Hodges.
Calvert.	Holekamp.
Canon.	Holland.
Cathey.	Holloway.
Chastain.	Hoskins.
Clayton.	Huddleston.
Colson.	Hughes.
Coombes.	Hunt.
Cowley.	Hyder.
Crossley.	Jackson.
Daniel.	James.
Davidson.	Jefferson.
Dean.	Jones of Atascosa.
Devall.	Jones of Runnels.
Dunagan.	Kyle of Hays.
Duvall.	Latham.
Dwyer.	Leonard.
Fain.	Lindsey.

Lotief.	Roberts.
Magee.	Rogers of Hunt.
Mackay.	Rollins.
McClain.	Ross.
McCullough.	Russell.
McDougald.	Savage.
McGregor.	Scott.
Mitcham.	Shannon.
Moffett.	Shults.
Moore.	Smith.
Morrison.	Stanfield.
Morse.	Steward.
Munson.	Stinson.
Nicholson.	Sullivant.
Palmer.	Tarwater.
Parkhouse.	Thomas.
Patterson.	Townsend.
Pavlica.	Turlington.
Pope.	Van Zandt.
Puryear.	Vaughan.
Ramsey.	Wagstaff.
Ratliff.	Walker.
Ray.	Winningham.
Reed of Bowie.	Wood.
Reed of Dallas.	Young.

Absent

Butler.	Kayton.
Camp.	Kyle of Palo Pinto.
Caven.	Laird.
Celaya.	Long.
Dunlap.	Mathis.
Engelhard.	Metcalf.
Few.	Riddle.
Graves.	Rogers
Harman.	of Ochiltree.
Harrison.	Scarborough.
Hartzog.	Stovall.
Johnson	Tennyson.
of Anderson.	Tillery.
Jones of Shelby.	Wells.

Absent—Excused

Adamson.	Lemens.
Fisher.	McKee.
Haag.	Merritt.
Hill of Webb.	Reader.
Johnson	Renfro.
of Dimmit.	Weinert.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 175

Mr. Holland submitted the following conference committee report on House Bill No. 175:

Committee Room,
Austin, Texas, May 16, 1933.

To Hon. Edgar E. Witt, President of the Senate, and to Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your conference committee, appointed to adjust the dif-

ferences between the House and Senate on

H. B. No. 175, A bill to be entitled "An Act authorizing the creation of corporations under the general laws of this State for the purpose of forming and operating a general detective agency to do a general detective business, prescribing the amount of capital stock required of such corporations; requiring as a condition precedent to such corporation doing business in the State the execution of a surety bond or insurance policy to be deposited with the Secretary of State for the use and benefit of persons who may be injured by such corporation, servants, officers, agents, or employes; and providing that the provisions hereof shall apply to foreign corporations doing a like business in this State, and providing further that said Act shall not be construed to confer the authority of a peace officer upon the servants, officers, agents, or employes of such corporations, unless otherwise authorized by law, and declaring an emergency,"

Have considered same, and beg leave to request that the bill pass in the following form:

"H. B. No. 175,

A BILL

To Be Entitled

An Act authorizing the creation of corporations under the general laws of this State for the purpose of forming and operating a general detective agency to do a general detective business, prescribing the amount of capital stock required of such corporations; requiring as a condition precedent to such corporation doing business in the State, the execution of a surety bond or insurance policy to be deposited with the Secretary of State for the use and benefit of persons who may be injured by such corporation, servants, officers, agents, or employes; and providing that the provisions hereof shall apply to foreign corporations doing a like business in this State, and providing further, that said Act shall not be construed to confer the authority of a peace officer upon the servants, officers, agents, or employes of such corporation unless otherwise authorized by law, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. Private corporations may be created under the general laws of this State by the voluntary association of three or more persons for the purpose of authorizing, creating, and operating a general detective agency to furnish detectives to make investigations and reports of same to the proper persons, to guard, watch, and protect property of industrial plants, business institutions, and residential properties in this State; providing, however, no such corporation shall be created with less than ten thousand dollars (\$10,000) capital stock, and providing further, that no such corporation shall be incorporated as herein provided, nor shall any permit be issued to any foreign corporation until such corporation shall have executed a good and sufficient surety bond or insurance policy (in the event of a bond to be signed by some good solvent bonding company authorized to do business in this State, and in the event of an insurance policy to be executed by some good solvent insurance company authorized to do business in this State), and deliver the same to the Secretary of State. Said surety bond or insurance policy shall be in the sum of ten thousand dollars (\$10,000), and shall be conditioned that the obligor therein will pay to the extent of the face amount of such surety bond or insurance policy, all judgments which may be recovered against said detective agency by reason of the wrongful or illegal acts of its servants, officers, agents, or employees committed by them in the course of their employment. Said surety bond or insurance policy shall further be conditioned that such persons so injured shall have the right to sue directly upon such surety bond or insurance policy in their own name, and the same shall be subject to successive suits for recovery until a complete exhaustion of the face amount thereof. Each such detective agency shall, on or before the date of the expiration of the terms of any surety bond or insurance policy so filed by such agency, file a renewal thereof, or a new surety bond or insurance policy containing the same terms or obligations of the preceding surety bond or policy, and shall each year thereafter, on or before the ex-

piration date of the existing surety bond or insurance policy, file such renewal surety bond or insurance policy so as to provide continuous security to persons so injured, and in the event any such detective agency fails to execute any surety bond or insurance policy in the first instance, or to execute any renewal surety bond or insurance policy, or to file the same with the Secretary of State, as provided herein, it shall constitute grounds for the forfeiture of the charter of a domestic corporation and the permit of a foreign corporation in a suit to be instituted at the instance of the Attorney General. Nothing herein shall be construed to authorize the agents, servants, officers, or employees of such corporation to have the power of peace officers in this State unless such power be conferred thereon under the provisions of some other law of this State.

Sec. 2. The fact that the general laws of the State of Texas do not authorize the creating and operating of detective agencies and furnishing detectives for the purpose of making investigations and reports, and guard, and watchmen to protect industrial plants, business property, and residential property, and the further fact of the crowded condition of the calendar create and constitute an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read in each House on three several days, be suspended, and this Act take effect and be in full force from and after its passage, and it is so enacted.

Respectfully submitted,

RAWLINGS,
BLACKERT,
COLLIE,
WOODUL,

On the part of the Senate;

HOLLAND,
VAN ZANDT,
RATLIFF,
WALKER,
DANIEL,

On the part of the House.

On motion of Mr. Holland the report was adopted by the following vote:

Yeas—104

Aikin.
Alexander.

Alsup.
Anderson of Bexar.

Anderson	Lindsey.
of Johnson.	Lotief.
Baker.	Magee.
Barrett.	Mackay.
Barron.	Mathis.
Beck.	McClain.
Bedford.	McCullough.
Bourne.	McDougald.
Bradley.	McGregor.
Burns.	Mitcham.
Butler.	Moffett.
Calvert.	Morrison.
Canon.	Morse.
Caven.	Munson.
Clayton.	Nicholson.
Colson.	Palmer.
Coombes.	Parkhouse.
Cowley.	Pavlica.
Daniel.	Ramsey.
Devall.	Ratliff.
Dunagan.	Ray.
Dwyer.	Reed of Bowie.
Fain.	Reed of Dallas.
Few.	Roberts.
Fuchs.	Rogers of Hunt.
Glass.	Rollins.
Golson.	Ross.
Greathouse.	Russell.
Griffith.	Savage.
Hankamer.	Scarborough.
Harris.	Scott.
Hartzog.	Shannon.
Head.	Shults.
Hester.	Smith.
Hicks.	Stanfield.
Hill of Brazoria.	Steward.
Hodges.	Stinson.
Holekamp.	Stovall.
Holland.	Sullivant.
Hoskins.	Tarwater.
Huddleston.	Thomas.
Hughes.	Tillery.
Hyder.	Townsend.
Jackson.	Turlington.
James.	Vaughan.
Jefferson.	Wagstaff.
Jones of Runnels.	Walker.
Kyle of Hays.	Weinert.
Kyle of Palo Pinto.	Winningham.
Laird.	Wood.
Latham.	

Present—Not Voting

Puryear.

Absent

Camp.	Good.
Cathey.	Goodman.
Celaya.	Graves.
Chastain.	Harman.
Crossley.	Harrison.
Davidson.	Holloway.
Dean.	Hunt.
Dunlap.	Johnson
Duvall.	of Anderson.
Engelhard.	Jones of Atascosa.
Ford.	Jones of Shelby.

Kayton.	Riddle.
Leonard.	Rogers
Long.	of Ochiltree.
Metcalfe.	Tennyson.
Moore.	Van Zandt.
Patterson.	Wells.
Pope.	Young.

Absent—Excused

Adamson.	Lemens.
Fisher.	McKee.
Haag.	Merritt.
Hill of Webb.	Reader.
Johnson	Renfro.
of Dimmit.	

SENATE BILL NO. 561 ON SECOND
READING

(By Unanimous Consent)

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 561, A bill to be entitled "An Act declaring that all bonds, debentures, notes, collateral trust certificates, and other such evidences of indebtedness, which have been, or which may be, issued by the Federal Home Loan Bank Board, the Home Owners Loan Corporation, any federated savings and loan association, Reconstruction Finance Corporation, the Federal Farm Loan Board, or by any Federal Land Bank, or any other entity, corporation, or agency now created, or hereafter to be created, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 561 ON THIRD
READING

Mr. Leonard moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 561 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—112

Aikin.	Bradley.
Alexander.	Burns.
Alsup.	Butler.
Anderson	Calvert.
of Bexar.	Canon.
Anderson	Cathey.
of Johnson.	Caven.
Baker.	Chastain.
Barrett.	Clayton.
Beck.	Colson.
Bourne.	Coombes.

Cowley.	McClain.
Crossley.	McDougald.
Daniel.	Mitcham.
Dean.	Moffett.
Devall.	Moore.
Dunagan.	Morrison.
Dwyer.	Morse.
Fain.	Munson.
Few.	Nicholson.
Ford.	Parkhouse.
Fuchs.	Pope.
Glass.	Puryear.
Golson.	Ramsey.
Good.	Ratliff.
Goodman.	Ray.
Greathouse.	Reed of Bowie.
Griffith.	Reed of Dallas.
Hankamer.	Roberts.
Harris.	Rogers of Hunt.
Head.	Rogers
Hester.	of Ochiltree.
Hicks.	Rollins.
Hill of Brazoria.	Ross.
Holekamp.	Russell.
Holland.	Savage.
Holloway.	Scarborough.
Hoskins.	Scott.
Huddleston.	Shannon.
Hughes.	Shults.
Hunt.	Smith.
Hyder.	Stanfield.
Jackson.	Steward.
James.	Stinson.
Jefferson.	Stovall.
Jones of Atascosa.	Tarwater.
Jones of Runnels.	Thomas.
Jones of Shelby.	Tillery.
Kayton.	Townsend.
Kyle of Hays.	Turlington.
Kyle of Palo Pinto.	Van Zandt.
Laird.	Vaughan.
Latham.	Wagstaff.
Leonard.	Walker.
Lindsey.	Weinert.
Lotief.	Winningham.
Magee.	Young.
Mackay.	

Absent

Barron.	Long.
Bedford.	Mathis.
Camp.	McCullough.
Celaya.	McGregor.
Davidson.	Metcalfe.
Dunlap.	Palmer.
Duvall.	Patterson.
Engelhard.	Pavlica.
Graves.	Riddle.
Harman.	Sullivant.
Harrison.	Tennyson.
Hartzog.	Wells.
Hodges.	Wood.
Johnson of Anderson.	

Absent—Excused

Adamson.	Fisher.
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Haag.	McKee.
Hill of Webb.	Merritt.
Johnson	Reader.
of Dimmit.	Renfro.
Lemens.	

The Speaker then laid Senate Bill No. 561 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—104

Aikin.	Jones of Atascosa.
Alexander.	Jones of Runnels.
Alsup.	Jones of Shelby.
Anderson	Kyle of Hays.
of Bexar.	Kyle of Palo Pinto.
Anderson	Laird.
of Johnson.	Latham.
Baker.	Leonard.
Beck.	Lindsey.
Bedford.	Lotief.
Bourne.	Magee.
Bradley.	Mackay.
Burns.	McClain.
Butler.	McDougald.
Calvert.	Moffett.
Canon.	Morrison.
Cathey.	Morse.
Chastain.	Munson.
Clayton.	Nicholson.
Colson.	Parkhouse.
Coombes.	Pavlica.
Cowley.	Pope.
Crossley.	Puryear.
Daniel.	Ramsey.
Davidson.	Ratliff.
Dean.	Ray.
Dunagan.	Reed of Bowie.
Dwyer.	Reed of Dallas.
Fain.	Roberts.
Few.	Rogers of Hunt.
Ford.	Rollins.
Fuchs.	Ross.
Glass.	Russell.
Golson.	Savage.
Good.	Scarborough.
Goodman.	Shannon.
Greathouse.	Shults.
Griffith.	Smith.
Hankamer.	Stanfield.
Harris.	Steward.
Head.	Stinson.
Hester.	Stovall.
Hicks.	Sullivant.
Hill of Brazoria.	Tarwater.
Holekamp.	Thomas.
Holland.	Tillery.
Hoskins.	Townsend.
Huddleston.	Turlington.
Hunt.	Vaughan.
Hyder.	Wagstaff.
Jackson.	Walker.
James.	Weinert.
Jefferson.	Winningham.

Absent

Barrett.	Long.
Barron.	Mathis.
Camp.	McCullough.
Caven.	McGregor.
Celaya.	Metcalf.
Devall.	Mitcham.
Dunlap.	Moore.
Duvall.	Palmer.
Engelhard.	Patterson.
Graves.	Riddle.
Harman.	Rogers
Harrison.	of Ochiltree.
Hartzog.	Scott.
Hodges.	Tennyson.
Holloway.	Van Zandt.
Hughes.	Wells.
Johnson	Wood.
of Anderson.	Young.
Kayton.	

Absent—Excused

Adamson.	Lemens.
Fisher.	McKee.
Haag.	Merritt.
Hill of Webb.	Reader.
Johnson	Renfro.
of Dimmit.	

HOUSE BILL NO. 898 ON SECOND
READING

The Speaker laid before the House, as a special order for the hour, on its second reading and passage to engrossment,

H. B. No. 898, A bill to be entitled "An Act to define and limit the jurisdiction of courts, and their purposes; and declaring an emergency."

The bill was read second time.

Mr. Jefferson offered the following committee amendment to the bill:

Amend House Bill No. 898 by striking out all of paragraph a, of Section 7, and insert in lieu therefor the following:

"That unlawful acts have been threatened and will be committed unless restrained, or have been committed and will be continued unless restrained, but no injunction or temporary restraining order shall issue on account of any threat or unlawful act excepting against the person, or persons, association, or organization making the threat or committing the unlawful act or actually authorizing or ratifying the same after actual knowledge thereof."

The amendment was adopted.

Mr. Jefferson offered the following committee amendment to the bill.

Amend House Bill No. 898, Section 13, paragraph d, by striking out the words "this Act," at the end of the paragraph, and inserting in lieu thereof the words "an Act of the Legislature."

The amendment was adopted.

Mr. Jefferson offered the following committee amendment to the bill:

Amend House Bill No. 898 by striking out all above the enacting clause, and inserting in lieu thereof the following:

"H. B. No. 898,

A BILL

To Be Entitled

An Act defining and limiting jurisdiction of courts in matters affecting employers and employees; declaring the public policy of the State in such matters; declaring all contracts made in violation of such public policy to be unenforceable; enumerating specific acts not subject to restraining orders or injunctions even though said acts are participated in by persons or combinations of persons interested in labor disputes; providing that no officer or member of a labor association or organization and no labor association or organization shall be responsible for the unlawful acts of its officers, employees, or agents except in certain instances; providing that no restraining order or injunction shall be issued except after a hearing before the court with testimony of witnesses and an opportunity of cross-examination, and after the court has found the existence of certain facts or conditions specifically mentioned; providing the procedure to be followed by the court in hearing labor disputes and the issuance of restraining orders and injunctions; providing that where any court issues or denies a restraining order or injunction in a labor dispute such a case on appeal shall have precedence; providing for the filing of findings of fact by the judge prior to the issuance of any restraining order or injunction in a labor dispute; providing that persons charged with contempt arising out of a labor dispute shall have the right of speedy trial by jury unless the alleged contempt be committed in the presence of the court or be

such as interferes directly with the administration of justice; providing how a judge may be disqualified and another judge designated to take his place; defining certain words and phrases as used in this Act; providing that if any part of this Act is held unconstitutional, it shall not affect the remaining portions of the Act; repealing all laws in conflict herewith; and declaring an emergency."

The amendment was adopted.

Mr. Scarborough moved that further consideration of the bill be postponed until next Tuesday.

The motion was lost.

House Bill No. 898 then failed to pass to engrossment by the following vote:

Yeas—52

Anderson	Kayton.
of Bexar.	Kyle of Hays.
Anderson	Laird.
of Johnson.	Latham.
Barrett.	McClain.
Beck.	McDougald.
Bedford.	McGregor.
Bradley.	Morrison.
Burns.	Morse.
Chastain.	Nicholson.
Colson.	Pope.
Daniel.	Ramsey.
Fain.	Ray.
Few.	Riddle.
Glass.	Roberts.
Greathouse.	Rogers of Hunt.
Griffith.	Rogers
Hankamer.	of Ochiltree.
Hill of Brazoria.	Rollins.
Holland.	Russell.
Holloway.	Shults.
Hoskins.	Smith.
Huddleston.	Stanfield.
Hughes.	Tarwater.
Hyder.	Tennyson.
Jackson.	Wagstaff.
Jefferson.	Winningham.
Jones of Shelby.	

Nays—56

Aikin.	Cowley.
Alexander.	Crossley.
Alsup.	Ford.
Baker.	Fuchs.
Bourne.	Golson.
Butler.	Good.
Calvert.	Goodman.
Canon.	Harris.
Cathey.	Hartzog.
Caven.	Head.
Coombes.	Hicks.

Hodges.	Purveyar.
Holekamp.	Ratliff.
Hunt.	Reed of Bowie.
James.	Reed of Dallas.
Jones of Atascosa.	Scarborough.
Jones of Runnels.	Shannon.
Kyle of Palo Pinto.	Stinson.
Leonard.	Stovall.
Lindsey.	Sullivant.
Lotief.	Thomas.
Mackay.	Townsend.
Mathis.	Turlington.
Mitcham.	Van Zandt.
Munson.	Vaughan.
Palmer.	Walker.
Parkhouse.	Wood.
Patterson.	Young.

Absent

Barron.	Johnson
Camp.	of Anderson.
Celaya.	Long.
Clayton.	Magee.
Davidson.	McCullough.
Dunlap.	Metcalfe.
Dunagan.	Moffett.
Duvall.	Moore.
Dwyer.	Pavlica.
Engelhard.	Ross.
Graves.	Savage.
Harman.	Scott.
Harrison.	Steward.
Hester.	Tillery.
	Wells.

Present—Not Voting

Dean.	Devall.
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Absent—Excused

Adamson.	Lemens.
Fisher.	McKee.
Haag.	Merritt.
Hill of Webb.	Reader.
Johnson	Renfro.
of Dimmit.	Weinert.

NOTICES GIVEN

Notices were given that motions would be made to take up, for consideration on the next legislative day, all bills which have heretofore been laid on the table subject to call.

SENATE BILL ON FIRST READING

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate Bill No. 340, to the Committee on Education.

RECESS

Mr. Anderson of Bexar moved that the House adjourn until 9:30 o'clock a. m., tomorrow.

Mr. Burns moved that the House recess to 9:30 o'clock a. m., tomorrow.

Question first recurring on the motion by Mr. Anderson of Bexar, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—52

Alexander.	Leonard.
Anderson	Magee.
of Bexar.	Mackay.
Anderson	McClain.
of Johnson.	McDougald.
Calvert.	McGregor.
Cathey.	Moore.
Coombes.	Morrison.
Cowley.	Morse.
Davidson.	Munson.
Devall.	Nicholson.
Engelhard.	Parkhouse.
Glass.	Patterson
Good.	Ratliff.
Goodman.	Reed of Dallas.
Griffith.	Rogers
Hankamer.	of Ochiltree.
Hicks.	Russell.
Hodges.	Scarborough.
Holekamp.	Shannon.
Holland.	Shults.
Hoskins.	Smith.
Hughes.	Stanfield.
Hunt.	Stinson.
Jackson.	Tarwater.
Jones of Atascosa.	Tillery.
Kayton.	Weinert.
Laird.	

Nays—58

Aikin.	Hill of Brazoria.
Alsup.	Holloway.
Baker.	Hyder.
Barrett.	James.
Beck.	Jones of Runnels.
Bourne.	Jones of Shelby.
Bradley.	Kyle of Hays.
Burns.	Kyle of Palo Pinto.
Butler.	Latham.
Canon.	Lindsey.
Caven.	Lotief.
Chastain.	Mitcham.
Colson.	Palmer.
Daniel.	Pope.
Dean.	Purveyar.
Fain.	Ramsey.
Few.	Ray.
Ford.	Reed of Bowie.
Fuchs.	Riddle.
Greathouse.	Roberts.
Harris.	Rogers of Hunt.
Head.	Rollins.

Scott.
Stovall.
Sullivant.
Tennyson.
Thomas.
Townsend.
Turlington.

Van Zandt.
Vaughan.
Wagstaff.
Walker.
Winningham.
Wood.
Young.

Absent

Barron.	Hester.
Bedford.	Huddleston.
Camp.	Jefferson.
Celaya.	Johnson
Clayton.	of Anderson.
Crossley.	Long.
Dunlap.	Mathis.
Dunagan.	McCullough.
Duvall.	Metcalfe.
Dwyer.	Moffett.
Golson.	Pavlica.
Graves.	Ross.
Harman.	Savage.
Harrison.	Steward.
Hartzog.	Wells.

Absent—Excused

Adamson.	Lemens.
Fisher.	McKee.
Haag.	Merritt.
Hill of Webb.	Reader.
Johnson	Renfro.
of Dimmit.	

Question then recurring on the motion by Mr. Burns, it prevailed.

The House, accordingly, at 6 o'clock p. m., took recess to 9:30 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions, as follows:

State Affairs: House Concurrent Resolutions Nos. 88 and 87; House Bill No. 939.

Banks and Banking: Senate Bill No. 561.

Judiciary: House Bill No. 714.

Constitutional Amendments: House Joint Resolutions Nos. 29 and 13.

The Committee on Judiciary filed an adverse report, with a minority favorable report, on Senate Bill No. 246.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,
Austin, Texas, May 15, 1933.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 91, A bill to be entitled
"An Act fixing the salary of the official shorthand reporter in each judicial district of this State and the official shorthand reporter of any county court, either civil or criminal, in this State, where the compensation of such reporter of such county court or judicial district is not otherwise provided by special law; providing for the manner of payment; repealing all laws in conflict herewith, and declaring an emergency,"

Has carefully compared same, and
finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,
Austin, Texas, May 15, 1933.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 47, A bill to be entitled
"An Act prohibiting the wilful taking, injury, or destruction of trees, shrubs, vines, flowers, and moss on land reserved, set aside, or maintained by the State as a public highway or public park, or as a refuge or sanctuary for wild animals, birds, or fish, without previous written permission of the owner of such land or of the superintendent or custodian of such park, refuge, or sanctuary; excluding wild Irish roses from the provisions hereof; prohibiting the transportation, carriage, or conveyance, or the sale, or the exposure for sale of certain wild plants or parts thereof; requiring certain officers and employes of the State to enforce this Act; and prescribing penalties for violations thereof; providing the provisions of this Act shall not apply to the clearance and maintenance of right of way and construction by those working for or engaged in the business of a public utility; defining the words 'person,' and 'another,' and declaring an emergency,"

Has carefully compared same, and
finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,

Austin, Texas, May 15, 1933.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 183, A bill to be entitled
"An Act regulating the occupation and practice of beauty operators; providing for the appointment of three (3) female members to the State Barber Board to supervise the licensing of persons, firms, associations, or corporations to carry on and or teach beauty culture; defining 'secretary,' as used in this Act; providing rules regulating the practice of beauty culture, and the teaching of beauty culture, and the operation of beauty shops in this State; making an appropriation of thirty-five thousand dollars (\$35,000) out of registration fees for the carrying out of this Act; providing the basis for paying employes; providing the provisions of this Act do not apply to cities of six thousand (6,000) population and under; providing a penalty for violation; providing that if any section or part of this Act be declared unconstitutional, it shall not affect the validity of the remaining portions or sections, and declaring an emergency,"

Has carefully compared same, and
finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,

Austin, Texas, May 15, 1933.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 310, A bill to be entitled
"An Act defining 'warehousemen' and 'warehouse,' names and words associated therewith; and providing for licensing and bonding of same and the manner of securing license and bond, and exempting certain warehouses; and providing for the procedure thereof; defining the duties and liabilities of warehousemen; and providing for the Commissioner of Agriculture to supervise warehouses; and to approve forms of receipts, records, and certificates, and providing for records to be kept, and for the inspection of same; for warehouse examiners with a general director thereof; for salaries and qualifications, and for bonding of same, and prescribing their duties; providing for warehousemen to

furnish an annual audit of reserve funds, assets, and liabilities, and the manner of making same; providing for examination fees, fixing the amount of same, to whom payable; providing for the disposition of same to the State Treasurer in a special fund; providing for forced liquidation of insolvent warehousemen; providing for methods of handling grain in excess of storage capacity; providing for forfeitures and penalties for violation of provisions of this Act, and for violating certain provisions of Chapter 4, Title 93, Revised Civil Statutes, 1925; making failure to obey law a penal offense, and fixing punishment therefor; providing for the interpretation of this Act; repealing Chapters 1, 2, and 3, and Article 5661, of Subsection 10, Article 5613, Chapter 4, Title 93, Revised Civil Statutes, 1925, and any other laws in conflict with this Act, and declaring an emergency."

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,
Austin, Texas, May 15, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 325, A bill to be entitled "An Act to amend Article 5166, Chapter 5, Title 83, of the Revised Civil Statutes of Texas, relating to the hours of labor; providing for the current rate of wages to be paid, and providing a penalty for violation of the Act,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,
Austin, Texas, May 15, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 337, A bill to be entitled "An Act declaring monopolies contrary to public policy of this State; making it unlawful for those engaged in the public utility business to prevent or hinder legitimate competition, or to fix discriminatory rates; making the Act applicable to subsidiary and associated corporations; providing for

prima facie evidence of violation; providing for quo warranto proceedings and forfeiture of charter; repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,
Austin, Texas, May 16, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 886, "An Act to amend Article 1667, of the Revised Civil Statutes of Texas of 1925, as amended by House Bill No. 59, Chapter 38, of the Second Called Session of the Forty-second Legislature, so that the provisions of said Article shall hereafter extend to all counties containing a population of one hundred and ten thousand (110,000), or more, as shown by the preceding Federal Census, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,
Austin, Texas, May 16, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 647, "An Act to amend Article 4686, of the Revised Civil Statutes of 1925, by prohibiting individuals, not otherwise expressly permitted by statute, to engage in the business of insuring others against insurable losses; providing that the Board of Insurance Commissioners shall be satisfied that any insurance carrier applying for a certificate of authority has, in all respects, complied with the laws of this State; providing that it shall be the duty of the Board of Insurance Commissioners to issue to such qualified carrier a certificate of authority under its seal, authorizing such carrier to transact an insurance business, naming the particular kinds of same, for a period of not more than twelve (12) months, and such authority not to extend beyond the last day of Feb-

ruary following the date of issuance of said certificate, requiring such carrier doing business within the State of Texas to comply with the provisions of this Act on and after the first day of January, 1934; defining the term 'carrier,' and declaring an emergency."

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

SIXTY-FIFTH DAY

(Continued)

(Wednesday, May 17, 1933)

The House met at 9:30 o'clock a. m., and was called to order by Speaker Stevenson.

BILL RE-REFERRED

Mr. Celaya moved that Senate Bill No. 143 be withdrawn from the Committee on Privileges, Suffrage, and Elections, and referred to the Committee on Highways and Motor Traffic.

Mr. Calvert moved to table the motion.

The motion to table was lost.

Question then recurring on the motion by Mr. Celaya, it prevailed.

BILL LAID ON THE TABLE SUBJECT TO CALL

Mr. Morrison moved that House Bill No. 215 be laid on the table subject to call.

The motion prevailed.

LEAVES OF ABSENCE GRANTED

(By Unanimous Consent)

The following Members were granted leaves of absence:

Mr. Head for today on account of important business, on motion of Mr. Fain.

Mr. Latham for today on account of important business, on motion of Mr. Turlington.

Mr. Holloway for today on account of important business, on motion of Mr. Russell.

Mr. Renfro for today on account of illness of his father, on motion of Mr. Patterson.

Mr. Davidson for today on account of important business, on motion of Mr. Ford.

PROVIDING FOR ADJOURNMENT SINE DIE

Mr. Moore offered the following resolution:

H. C. R. No. 91, Providing for adjournment sine die.

Be it resolved by the House of Representatives, the Senate concurring, That the Regular Session of the Forty-third Legislature stand adjourned sine die at 12 noon, May 27, 1933.

The resolution was read second time.

On motion of Mr. Coombes, the resolution was tabled.

HOUSE BILL ON FIRST READING

Mr. Van Zandt moved to introduce, at this time, and have placed on first reading, the following bill:

The motion prevailed by the following vote:

Yeas—102

Aikin.	Goodman.
Alexander.	Graves.
Alsup.	Greathouse.
Anderson	Griffith.
of Johnson.	Hankamer.
Baker.	Harris.
Barrett.	Hartzog.
Beck.	Hester.
Bedford.	Hicks.
Bourne.	Hill of Brazoria.
Bradley.	Hodges.
Burns.	Hoskins.
Butler.	Huddleston.
Calvert.	Hughes.
Camp.	Hunt.
Canon.	Hyder.
Colson.	Jackson.
Coombes.	James.
Cowley.	Jefferson.
Crossley.	Johnson
Daniel.	of Anderson.
Dean.	Jones of Atascosa.
Devall.	Jones of Runnels.
Dunlap.	Jones of Shelby.
Dunagan.	Kayton.
Dwyer.	Leonard.
Fain.	Lindsey.
Few.	Mackay.
Ford.	Magee.
Fuchs.	Mathis.
Glass.	McClain.
Golson.	McCullough.
Good.	McDougald.